

ILLINOIS HISTORICAL SURVEY



LIBRARY
OF THE
UNIVERSITY
OF ILLINOIS

352.0773

P36

1864 X

ILLINOIS HISTORICAL SURVEY

83

THE CITY CHARTER,
WITH THE
SEVERAL LAWS AMENDATORY THERETO,
AND THE
REVISED ORDINANCES,
OF THE
CITY OF PEKIN, ILLINOIS;
TO WHICH ARE PREFIXED THE
STATE LAWS RELATING TO THE CITY.

1963 H

ARRANGED, REVISED AND PUBLISHED UNDER THE AUTHORITY OF THE CITY
COUNCIL, IN THE YEAR 1864.

BY JOHN B. COHRS AND A. P. GRISWOLD,

PEKIN, ILLINOIS:
J. McDonald, Printer, Tazewell Register Office.
1864.

352.0773

P36

1864

CLERK'S OFFICE, CITY OF PEKIN, }
May 2, 1864.

At a meeting of the City Council of the City of Pekin, held this day, at their Council Room, in said City, the following Resolution was adopted:

Resolved, That the Ordinances of the City of Pekin, as revised and arranged by JOHN B. COHRS and A. P. GRISWOLD, under the authority of the Council of said City of Pekin, with the City Charter and Amendments thereto, and such Laws of this State as have been compiled and arranged by them, be printed and published in book form, for the use of the City.

A true copy from the journal.

Attest:

H. VANDERVORT, *City Clerk.*

STATE OF ILLINOIS, }
TAZEWELL COUNTY, } ss.

Office of the Clerk of the City of Pekin.

I, H. VANDERVORT, Clerk of the City of Pekin, in the County and State aforesaid, do hereby certify that the Ordinances herein contained were passed by the City Council of the City of Pekin, and duly published, as appears from the original Ordinances, Records, and Papers in which the same were published, now on file in the Office of the City Clerk of said City.

PEKIN, ILLINOIS, November 1, A. D. 1864.

[SEAL.]

H. VANDERVORT, *City Clerk.*

1128740

3744 Marshall

Lettr 18 Apr 41 Van Norman = 1864

TABLE OF CONTENTS.

	PAGE.
Resolution authorizing publication, and clerk's certificate,	iii
An Act to incorporate the city of Quincy,	1
Boundaries and general powers, Article 1	
Of the city council,	2
Of the chief executive officer,	3
Of elections,	4
Of the legislative powers of the city council,	5
Of the mayor,	6
Proceedings in special cases,	7
Miscellaneous provisions,	8
An Act to incorporate towns and cities.	15
for the better government of towns and cities, and to amend	
the charters thereof,	17
to amend "An act to incorporate the city of Quincy,"	19
to prevent cities and towns from issuing warrants to circu-	
late as money,	19
supplemental to an act, entitled "An act to provide for a	
general system of railroad incorporations,"	20
to facilitate the construction of railroads,	22
to amend the charter of the Illinois River Railroad company,	23
authorizing incorporated cities to change, alter and vacate	
streets or parts of streets,	23
to amend the charters of the several towns and cities in this state,	24
to amend an act, entitled "An act for the better government	
of towns and cities, and to amend the charters thereof,"	25
to amend an act, entitled "An act for the better government	
of towns and cities, and to amend the charters thereof,"	26
providing for the vacation of streets, alleys and town plats,	26
to amend an act, entitled "An act to extend the corporate	
powers of the town of Pekin, and to confirm the action of	
the president and trustees of said town in certain cases,"	29
to approve and extend the corporate powers of the city of Pekin,	29
to amend the charter of the city of Pekin,	30
to amend an act to amend the charter of the city of Pekin,	31
to amend the charter of the city of Pekin,	32
to extend the corporate limits and powers of the city and	
town of Pekin,	32
to amend the charter of the city of Pekin,	33

	PAGE.
An Ordinance defining the limits of the city of Pekin,	39
in relation to the corporate seal of the city of Pekin,	40
dividing the city of Pekin into wards,	40
fixing the time of the meeting of the city council of the city of Pekin,	41
to provide for the appointment of city officers,	41
to punish city officers for neglect of duty,	42
regulating the compensation of city officers,	42
relating to the city officers of the city of Pekin,	44
relative to city officers,	45
to repeal an ordinance, entitled "An ordinance relating to city officers of the city of Pekin,"	46
authorizing the mayor to issue and sign bonds of the city of Pekin,	46
authorizing the mayor to issue and sign bonds of the city of Pekin,	47
providing for the appointment of an attorney for the city of Pekin, and prescribing his duties,	47
for the appointment of a clerk of the city of Pekin, and prescribing his duties,	48
providing for the appointment of a city treasurer, and prescribing his duties,	50
prescribing the duties of city engineer in the city of Pekin,	51
for the appointment of a marshal for the city of Pekin, and prescribing his duties,	52
in relation to the appointment of assistant marshals, and the duties of the city marshal and assistant marshals,	53
providing for the appointment of street commissioner, and prescribing his duties,	54
in relation to wood measurers for the city of Pekin, and defining their duties,	55
regulating the weighing of hay and stone coal in the city of Pekin,	57
to preserve the health of the city of Pekin, and to prevent nuisances therein,	58
to provide against contagious diseases,	63
to establish the rates of ferriage across the Illinois river, at the city of Pekin,	64
in relation to wharf boats, public wharves and landings, establishing and regulating the public landings in the city of Pekin,	65
to establish and regulate the fire department of the city of Pekin,	67
	71

TABLE OF CONTENTS.

vii .

	PAGE.
An Ordinance regulating the mode of holding general and special elections in the city of Pekin,	75
relating to the establishing the grade of Court street, and paving of sidewalks,	80
in relation to sidewalks in the city of Pekin,	83
to provide for the widening of Water and Front streets, for paving sidewalk on Second street,	85
for paving the sidewalks on Court street,	87
to provide for the establishment of South street,	88
to provide for the laying out of South Front street,	90
in relation to paving sidewalks in the city of Pekin,	91
in relation to street-tax,	92
to prevent the storage of excessive quantities of gunpowder, and defining the duties of the city marshal in relation thereto,	94
in relation to the erection of wooden or frame buildings, and also in relation to lumber yards on certain blocks in the city of Pekin,	96
in relation to horses running at large within the city of Pekin,	97
in relation to swine running at large within the city of Pekin,	100
for the licensing of auctioneers in the city of Pekin,	102
regulating loan and exchange brokers' offices,	103
to provide for licensing and regulating carts, wagons and drays,	105
to amend an ordinance, entitled "An ordinance to provide for licensing and regulating carts, wagons and drays,"	106
in relation to dogs and sluts running at large within the city of Pekin,	108
supplemental to an ordinance, entitled "An ordinance in relation to dogs and sluts running at large within the city of Pekin,"	109
relative to granting licenses for various purposes therein mentioned,	110
licensing the sale of lumber and other merchandise in the city of Pekin,	111
to provide for licensing and regulating keepers of billiard tables, nine or ten pin alleys, shuffle boards, bagatelle tables,	112
entitled "An ordinance for licensing the vending, by retail, of spirituous and malt liquors,	114
to regulate groceries, tippling houses, dram shops and beer houses in the city of Pekin,	116

	PAGE.
An Ordinance in relation to public wells in the city of Pekin.	119
in relation to issuing city bonds,	120
regulating costs in suits brought for violating ordinances of the city of Pekin,	122
providing for the recovery and appropriation of fines and forfeitures, and the enforcement of penalties in the city of Pekin,	122
to amend an ordinance, entitled "An ordinance providing for the recovery and appropriation of fines and forfeitures and the enforcement of penalties in the city of Pekin,	125
in relation to certain misdemeanors, nuisances and police in the city of Pekin,	126
to amend an ordinance, entitled "An ordinance in relation to certain misdemeanors, nuisances and police in the city of Pekin,	133
to restrain, suppress and prohibit bawdy houses, houses of ill fame and houses of assignation, and other disorderly houses in the city of Pekin,	134
to amend the several ordinances of the city of Pekin in relation to fines,	136
to amend an ordinance, entitled "An ordinance to amend the several ordinances of the city of Pekin in relation to fines,"	137

CITY CHARTER.

AN ACT TO INCORPORATE THE CITY OF QUINCY.

ARTICLE 1.

OF BOUNDARIES AND GENERAL POWERS.

- SEC. 1. Body politic and corporate—name and style—common seal.
2. Boundaries of the city.
 3. City to be divided into wards.
 4. Lands laid off and recorded to form a part of the city.
 5. General power; may hold real and personal property, convey and improve the same.

Be it enacted by the people of the State of Illinois, represented in the General Assembly:

SEC. 1. That the inhabitants of the Town of Quincy, in the county of Adams, and state of Illinois, be and they are hereby constituted a body politic and corporate, by the name and style of the City of Quincy, and by that name shall have perpetual succession, and may have and use a common seal, which they may change and alter at pleasure.

§ 2. All that district of country embraced within the following boundaries, to wit: Beginning in the middle of the main channel of the Mississippi river, west of the south side of Jefferson street, thence up the river within said channel, to a point due west of the northern extremity of Pease's addition to said town, thence due east to the eastern side of Wood street, thence due south along Wood street to a point due east from the place of beginning, thence due west down the south side of Jefferson street to the place of beginning, is hereby declared to be within the boundaries of the said city of Quincy.

§ 3. The present board of trustees of the town of Quincy shall, on or before the first day of March next, divide the said city of Quincy into three wards, as nearly equal in population as practicable, particularly describing the boundaries of each.

§ 4. Whenever any tract of land adjoining the City of Quincy

shall have been laid off into town lots, and duly recorded as required by law, the same shall be annexed to and form a part of the city of Quincy.

§ 5. The inhabitants of said city, by the name and style aforesaid, shall have power to sue and be sued; to implead and be impleaded; defend and be defended, in all courts of law and equity, and in all actions whatsoever; to purchase, receive and hold property, real and personal, in said city; to purchase, receive and hold property, both real and personal, beyond the city, for burial grounds, or for other public purposes, for the use of the inhabitants of said city; to sell, lease, convey, or dispose of property, real and personal, for the benefit of the city; and to improve and protect such property, and to do all other things in relation thereto, as natural persons.

ARTICLE 2.

OF THE CITY COUNCIL.

- SEC. 1. City council.
2. Board of aldermen to consist of two from each ward.
 3. Qualifications of aldermen.
 4. When office of alderman to be made vacant.
 5. Divisions of aldermen in classes by lot.
 6. Returns and contests of members.
 7. Quorum.
 8. Rules of proceedings and expulsion of members.
 9. Journal of city council to be published.
 10. Aldermen can hold no office in the city, created while in office.
 11. Vacancies; how filled.
 12. Mayor and aldermen to take an oath.
 13. Mayor to determine election of alderman in case of a tie.
 14. Twelve stated meetings yearly.

SEC. 1. There shall be a city council, to consist of a mayor and board of aldermen.

§ 2. The board of aldermen shall consist of two members from each ward, to be chosen by the qualified voters for two years.

§ 3. No person shall be an alderman unless, at the time of his election, he shall have resided six months within the limits of the city, and shall be, at the time of his election, twenty-one years of age, and a citizen of the United States.

§ 4. If any alderman shall, after his election, remove from the ward for which he is elected, or cease to be a freeholder in said city, his office shall thereby be vacated.

§ 5. At the first meeting of the city council, the aldermen shall be divided by lot into two classes; the seats of those of the first class shall be vacated at the expiration of the first year, and of the second

class at the expiration of the second year; so that one-half of the board shall be elected annually.

§ 6. The city council shall judge of the qualifications, elections, and returns of their own members, and shall determine all contested elections.

§ 7. A majority of the city council shall constitute a quorum to do business; but a smaller number may adjourn from day to day, and compel the attendance of absent members, under such penalties as may be prescribed by ordinance.

§ 8. The city council shall have power to determine the rules of its proceedings, punish its members for disorderly conduct, and, with the concurrence of two-thirds of the members elected, expel a member.

§ 9. The city council shall keep a journal of its proceedings, and, from time to time, publish the same; and the yeas and nays, when demanded by any member present, shall be entered on the journal.

§ 10. No alderman shall be appointed to any office under the authority of the city, which shall have been created, or the emoluments of which shall have been increased, during the time for which he shall have been elected.

§ 11. All vacancies that shall occur in the board of aldermen shall be filled by election.

§ 12. The mayor and each alderman, before entering upon the duties of their office, shall take and subscribe an oath, "that they will support the constitution of the United States and of this state, and that they will well and truly perform the duties of their office to the best of their skill and abilities."

§ 13. Whenever there shall be a tie in the election of aldermen, the judges of election shall certify the same to the mayor, who shall determine the same by lot, in such manner as shall be provided by ordinance.

§ 14. There shall be twelve stated meetings of the city council in each year, at such times and places as may be prescribed by ordinance.

ARTICLE 3.

OF THE CHIEF EXECUTIVE OFFICER.

SEC. 1. Executive officer; his term.

2. Qualifications of mayor.

3. When office of mayor vacated.

4. In case of a tie for mayor, council to decide by lot.

5. Contested election of mayor.

6. Vacancy in office of mayor; how filled.

SEC. 1. The chief executive officer of the city shall be a mayor,

who shall be elected by the qualified voters of the city, and shall hold his office for one year, and until his successor shall be elected and qualified.

§ 2. No person shall be eligible to the office of mayor who shall not have been a resident of the city for one year next preceding his election, or who shall be under twenty-one years of age, or who shall not, at the time of his election, be a citizen of the United States.

§ 3. If any mayor shall, during the time for which he shall have been elected, remove from the city, or shall cease to be a freeholder in said city, his office shall be vacated.

§ 4. When two or more persons shall have an equal number of votes for mayor, the judges of election shall certify the same to the city council, who shall proceed to determine the same by lot, in such manner as may be provided by ordinance.

§ 5. Whenever an election of mayor shall be contested, the city council shall determine the same, in such manner as may be prescribed by ordinance.

§ 6. Whenever any vacancy shall happen in the office of mayor, it shall be filled by election.

ARTICLE 4.

OF ELECTIONS.

SEC. 1. Annual election of mayor and aldermen; first election how conducted.

2. Resident inhabitants may vote for city officers; votes to be given in the wards where the elector resides.

SEC. 1. On the third Monday of April next, an election shall be held in each ward of said city, for one mayor of the city, two aldermen for each ward; and forever thereafter, on the third Monday of April of each year, there shall be an election held for one mayor for the city and one alderman for each ward. The first election for mayor and aldermen shall be held, conducted, and returns thereof made, as may be provided by ordinance of the present trustees of the town of Quincy.

§ 2. All free white male inhabitants over the age of twenty-one years, who are entitled to vote for state officers, and who shall have been actual residents of said city ninety days next preceding said election, shall be entitled to vote for city officers; *provided*, that said voters shall give their votes for mayor and aldermen in the wards in which they respectively reside, and in no other; and that

no vote shall be received at any of said elections, unless the person offering such vote shall have been an actual resident of the ward where the same is offered, at least ten days next preceding such election.

ARTICLE 5.

OF THE LEGISLATIVE POWERS OF THE CITY COUNCIL.

- SEC. 1. Assessment and collection of taxes; limitation thereof.
2. City council may appoint certain officers.
 3. May require bonds of officers and oath of office; regulate common schools; and borrow money, subject to limitation.
 4. Provide for paying debts of the city.
 5. Make quarantine laws, &c.
 6. Establish hospitals.
 7. Regulate health, and declare nuisances.
 8. To provide for watering the city.
 9. Open and alter streets, &c.
 10. Build bridges, &c.
 11. Make and alter wards.
 12. Light the city.
 13. Establish a night watch.
 14. Regulate markets.
 15. Erect buildings for the city.
 16. Improve, &c., public grounds.
 17. Improve navigation of the Mississippi.
 18. Erect, &c., wharves and docks.
 19. Grant licenses.
 20. Regulate carriages, wagons, carts and drays.
 21. Regulate porters.
 22. License shows.
 23. Suppress disorderly houses.
 24. Organize fire companies
 25. Regulate erection of wooden buildings.
 26. Regulate chimneys.
 27. Regulate storage of gunpowder, &c.
 28. Regulate parapet walls and fences.
 29. Regulate weights and measures.
 30. Provide for measurement of lumber, &c.
 31. Provide for weight of hay, &c.
 32. Provide for inspection of tobacco.
 33. Regulate inspection of provisions.
 34. Regulate weight of bread.
 35. Regulate size of brick.
 36. Provide for taking census.
 37. Regulate elections.
 38. Fix compensation of jurors, &c.
 39. Regulate the police; impose and recover fines, &c.
 40. Exclusive powers.
 41. Make all necessary ordinances.
 42. Style of ordinances.
 43. Ordinances when to take effect.
 44. Ordinances when evidence.

SEC. 1. The city council shall have power and authority to levy and collect taxes upon all property, real and personal, within the limits of the city, not exceeding one-half per cent. per annum upon

the assessed value thereof, and may enforce the payment of the same in any manner to be prescribed by ordinance, not repugnant to the constitution of the United States and of this state.

§ 2. The city council shall have power to appoint a clerk, treasurer, assessor, marshal, supervisors of streets, and all such other officers as may be necessary.

§ 3. The city council shall have power to require of all officers appointed in pursuance of this charter, bond with penalty and security for the faithful performance of their respective duties, as may be deemed expedient; and also to require all officers appointed as aforesaid, to take an oath for the faithful performance of the duties of their respective offices before entering upon the discharge of the same; to establish, support and regulate common schools; to borrow money on the credit of the city; *provided*, that no sum or sums of money shall be borrowed at a greater interest than six per cent. per annum, nor shall the interest on the aggregate of all the sums borrowed and outstanding, ever exceed one-half of the city revenue arising from taxes assessed on real property within the limits of the corporation.

§ 4. To appropriate money, and provide for the payment of the debt and expenses of the city.

§ 5. To make regulations to prevent the introduction of contagious diseases into the city, and to make quarantine laws for that purpose, and enforce the same within five miles of the city.

§ 6. To establish hospitals, and make regulations for the government of the same.

§ 7. To make regulations to secure the general health of the inhabitants; to declare what shall be a nuisance, and to prevent and remove the same.

§ 8. To provide the city with water; to erect hydrants and pumps in the streets for the convenience of the inhabitants.

§ 9. To open, alter, abolish, widen, extend, establish, grade, pave, or otherwise improve and keep in repair, streets, lanes, avenues and alleys.

§ 10. To establish, erect and keep in repair, bridges.

§ 11. To divide the city into wards, alter the boundaries thereof, and erect additional wards, as the occasion may require.

§ 12. To provide for lighting the streets and erecting lamp posts.

§ 13. To establish, support and regulate night watches.

§ 14. To erect market houses, establish markets and market places, and provide for the government and regulation thereof.

§ 15. To provide for the erection of all needful buildings for the use of the city.

§ 16. To provide for inclosing, improving and regulating all public grounds belonging to the city.

§ 17. To improve and preserve the navigation of the Mississippi, within the limits of the city.

§ 18. To erect, repair and regulate public wharves and docks; to regulate the erection and repair of private wharves and the rates of wharfage thereat.

§ 19. To license, tax and regulate auctioneers, merchants and retailers, groceries, taverns, ordinaries, hawkers, pedlars, brokers, pawn brokers and money changers.

§ 20. To license, tax and regulate hackney carriages, wagons, carts and drays; fix the rates to be charged for the carriage of persons, and for the wagonage, cartage and drayage of property.

§ 21. To license and regulate porters, and fix the rate of portorage.

§ 22. To license, tax and regulate theatrical and other exhibitions, shows and amusements.

§ 23. To tax, restrain, prohibit and suppress tippling houses, dram shops, gaming houses, bawdy, and other disorderly houses.

§ 24. To provide for the prevention and extinguishment of fires, and to organize and establish fire companies.

§ 25. To regulate or prohibit the erection of wooden buildings in any part of the city.

§ 26. To regulate the fixing of chimneys, and fix the flues thereof.

§ 27. To regulate the storage of gun-powder, tar, pitch, rosin and other combustible materials.

§ 28. To regulate and order parapet walls and partition fences.

§ 29. To establish standard weights and measures, and regulate the weights and measures to be used in the city, in all cases, not otherwise provided for by law.

§ 30. To provide for the inspection and measurement of lumber and other building materials, and for the measurement of all kinds of mechanical work.

§ 31. To provide for the inspection and weighing of hay and stone coal, the measuring of charcoal, fire-wood, and other fuel to be sold or used within the city.

§ 32. To provide for and regulate the inspection of tobacco, beef, pork, flour, meal, and whisky in barrels.

§ 33. To regulate the inspection of butter, lard and other provisions.

§ 34. To regulate the weight, quality and price of bread to be sold and used in the city.

§ 35. To regulate the size of brick to be sold or used in the city.

§ 36. To provide for taking enumerations of the inhabitants of the city.

§ 37. To regulate the election of city officers, and provide for removing from office any person holding an office created by ordinance.

§ 38. To fix the compensation of all city officers and regulate the fees of jurors, witnesses and others, for services rendered under this act, or any ordinance.

§ 39. To regulate the police of the city; to impose fines, forfeitures and penalties for the breach of any ordinance, and provide for the recovery and appropriation of such fines and forfeitures, and the enforcement of such penalties.

§ 40. The city council shall have exclusive power within the city, by ordinance, to license, regulate and restrain the keeping of ferries, and to suppress and restrain billiard tables.

§ 41. The city council shall have power to make all ordinances, which shall be necessary and proper for carrying into execution the powers specified in this act, so that such ordinances be not repugnant to nor inconsistent with the constitution of the United States, or of this state.

§ 42. The style of the ordinances of the city shall be, "*Be it ordained by the city council of the city of Quincy.*"

§ 43. All ordinances passed by the city council shall, within one month after they shall have been passed, be published in some newspaper published in the city, and shall not be in force until they shall have been published as aforesaid.

§ 44. All ordinances of the city may be proven by the seal of the corporation, and when printed or published in book or pamphlet form, and purporting to be printed and published by authority of the corporation, the same shall be received in evidence in all courts and places without further proof.

CITY CHARTER.

9

ARTICLE 6.

OF THE MAYOR.

- Sec. 1.** Shall have the casting vote; absence of mayor, to choose a chairman.
2. Special meetings; how called.
 3. Duties of mayor.
 4. May call aid to suppress riots; penalty for a refusal to obey.
 5. May require officers to exhibit their books.
 6. Required to execute all ordinances.
 7. Shall be commissioned as a justice of the peace; powers as such.
 8. Jurisdiction of mayor acting as justice of the peace; his fees.
 9. Jurisdiction in quarantine and health affairs.
 10. Salary to be fixed by ordinance.
 11. May be indicted for violation of duty, fined, and, on conviction, removed from office.

SEC. 1. The mayor shall preside at all meetings of the city council, and shall have a casting vote, and no other. In case of non-attendance of the mayor at any meeting, the board of aldermen shall appoint one of their own members chairman, who shall preside at that meeting.

§ 2. The mayor, or any two aldermen, may call special meetings of the city council.

§ 3. The mayor shall at all times be active and vigilant in enforcing the laws and ordinances for the government of said city; he shall inspect the conduct of all subordinate officers of said city, and cause negligence and positive violation of duty to be presented and punished; he shall, from time to time, communicate to the aldermen such information, and recommend all such measures as, in his opinion, may tend to the improvement of the finances, the police, the health, security, comfort and ornament of the city.

§ 4. He is hereby authorized to call on every male inhabitant of said city, over the age of eighteen years, to aid in the enforcing of the laws and ordinances; and in case of riot, to call out the militia to aid him in suppressing the same, or in carrying into effect any law or ordinance; and any person who shall not obey such call, shall forfeit to said city a fine not exceeding five dollars.

§ 5. He shall have power, whenever he may deem it necessary, to require of any officer of said city an exhibit of his books and papers.

§ 6. He shall have power to execute all acts that may be required of him by any ordinance made in pursuance of this act.

§ 7. He shall be commissioned by the governor as a justice of the peace for said city, and as such, shall be a conservator of the peace

in the said city, and shall have power and authority to administer oaths, issue writs and process under the seal of the city; to take depositions, and acknowledgment of deeds, mortgages and other instruments of writing, and certify the same under the seal of the city, which shall be good and valid in law.

§ 8. He shall have exclusive jurisdiction in all cases arising under the ordinances of the corporation, and concurrent jurisdiction with all other justices of the peace in all civil and criminal cases within the limits of the city, arising under the laws of the state, and shall receive the same fees and compensation for his services [as other justices] in similar cases.

§ 9. He shall also have such jurisdiction as may be vested in him by ordinance of the city, in and over all places within five miles of the boundaries of the city, for the purpose of enforcing the health and quarantine ordinances, and regulations thereof.

§ 10. And he shall receive for his services such salary as shall be fixed by an ordinance of the city.

§ 11. In case the mayor shall, at any time, be guilty of a palpable omission of duty, or shall wilfully and corruptly be guilty of oppression, mal-conduct, or partiality in the discharge of the duties of his office, he shall be liable to be indicted in the circuit court of Adams county, and, on conviction, he shall be fined not more than two hundred dollars, and the court shall have power, on the recommendation of the jury, to add to the judgment of the court, that he be removed from office.

ARTICLE 7.

PROCEEDINGS IN SPECIAL CASES.

- Sec. 1. Owner of private property taken for public improvement to be compensated; mode of estimating the same.
2. Street may be opened, widened, &c., by petition of all persons owning land thereon, but no compensation or tax.
3. Jurors assessing damages to be sworn.
4. Rules of assessment of damages.
5. Decision may be set aside.
6. City council may levy a special tax in certain cases.

Sec. 1. Whenever it shall be necessary to take private property for opening, widening or altering any public street, lane, avenue or alley, the corporation shall make a just compensation thereof to the person whose property is so taken, and if the amount of such compensation cannot be agreed on, the mayor shall cause the same to be assessed by a jury of six disinterested freeholders of the city.

§ 2. When the owners of all the property on the street, lane or alley proposed to be opened, widened or altered, shall petition therefor, the city council may open, widen or alter such street, lane, avenue or alley, upon conditions to be prescribed by ordinance; but no compensation shall in such case be made those whose property shall be taken for the opening, widening or altering of such street, lane, avenue or alley, nor shall there be any assessment of benefit or damage that may accrue thereby to any of the petitioners.

§ 3. All jurors impaneled to inquire into the amount of benefit or damage which shall happen to the owners of property proposed to be taken for opening, widening or altering any street, lane or alley, shall be first sworn to that effect, and shall return to the mayor their inquest in writing, signed by each juror.

§ 4. In assessing the amount of compensation for property taken for opening or widening or altering any street, lane, avenue or alley, the jury shall take into consideration the benefit as well as the injury happening by such opening, widening or altering such street, lane, avenue or alley.

§ 5. The mayor shall have power, for good cause shown, within ten days after any inquest shall have been returned to him, as aforesaid, to set the same aside, and cause a new inquest to be made.

§ 6. The city council shall have power, by ordinance, to levy and collect a special tax on the holders of the lots in any street, lane, avenue or alley, or part of any street, lane, avenue or alley, according to their respective fronts, owned by them, for the purpose of paving and grading the sidewalks, and lighting such street, lane, avenue or alley.

ARTICLE 8.

MISCELLANEOUS PROVISIONS.

- Sec. 1. Inhabitants of Quincy not to labor on roads out of the city, or pay county tax except for jail in Quincy. See amendment to charter, section 3.
2. City streets to be made by labor of male inhabitants; fine for neglecting or refusing to labor.
3. Offenders may be punished by imprisonment.
4. Annual statements of receipts and expenditures to be published.
5. Ordinances of town of Quincy in force until repealed.
6. Suits, how brought.
7. Fines, &c., accruing to trustees of town of Quincy, to be vested in the city.
8. Property to be invested in the city.
9. Charter not to invalidate any act of trustees.

10. Trustees to promulgate this act; call election of officers by publication of notice, &c.
11. Appeals from decisions under ordinances allowed.
12. Vacancy in the office of mayor; how to be supplied.
13. Charter declared a public act.
14. Certain acts repealed.
15. City marshal authorized to execute writs and other process issued by the mayor in Adams county; his fees.
16. Election for adoption of this charter; if majority should be against the adoption, charter to be void.

SEC. 1. The inhabitants of the city of Quincy are hereby exempted from working on any road beyond the limits of the city, and from paying any tax to procure laborers to work upon the same; and from any tax for county purposes, except for the completion of the county jail, now being erected in said city.

§ 2. The city council shall have power, for the purpose of keeping the streets, lanes, avenues and alleys in repair, to require every male inhabitant in said city, over twenty-one years of age, to labor on said streets, lanes, avenues and alleys, not exceeding three days in each and every year; and any person failing to perform such labor, when duly notified by the supervisor, shall forfeit and pay the sum of one dollar per day, for each day so neglected or refused.

§ 3. The city council shall have power to provide for the punishment of offenders, by imprisonment in the county or city jail, in all cases where such offenders shall fail or refuse to pay the fines and forfeitures which may be recovered against them.

§ 4. The city council shall cause to be published annually a full and complete statement of all moneys received and expended by the corporation during the preceding year, and on what account received and expended.

§ 5. All ordinances and resolutions passed by the president and trustees of the town of Quincy shall remain in force until the same shall have been repealed by the city council hereby created.

§ 6. All suits, actions and prosecutions instituted, commenced, or brought by the corporation hereby created, shall be instituted, commenced and prosecuted in the name of the city of Quincy.

§ 7. All actions, fines and forfeitures which have accrued to the president and trustees of the town of Quincy shall be vested in and presented by the corporation hereby created.

§ 8. All property, real and personal, heretofore belonging to "the president and trustees of the town of Quincy," for the use of the

inhabitants of said town, shall be and the same is hereby declared to be vested in the corporation hereby created.

§ 9. This charter shall not invalidate any act done by "the president and trustees of the town of Quincy," nor divest them of any right which may have accrued to them prior to the passage of this act.

§ 10. "The president and trustees of the town of Quincy" shall, immediately after the passage of this act, take measures to promulgate this law within the limits of the city of Quincy, and issue their proclamation for the election of officers, and cause the same to be published in all the newspapers in said city, for four weeks in succession, prior to the day of election for said city officers.

§ 11. Appeals shall be allowed from all decisions in all cases arising under the provisions of this act, or any ordinance passed in pursuance thereof, to the circuit court of Adams county; and every such appeal shall be taken and granted in the same manner and with like effect as appeals are taken from and granted by justices of the peace to the court, under the laws of this state.

§ 12. Whenever the mayor shall absent himself from the city, or shall resign, or die, or his office shall be otherwise vacated, the board of aldermen shall immediately proceed to elect one of their number president, who shall be mayor pro tem.

§ 13. This act is hereby declared to be a public act, and may be read in evidence in all courts of law and equity in this state without proof.

§ 14. All acts, or parts of acts, coming within the provisions of this charter, that are contrary to or inconsistent with its provisions, are hereby repealed.

§ 15. The city marshal, or any other officer authorized to execute writs or other process issued by the mayor, shall have power to execute the same anywhere within the limits of Adams county, and shall be entitled to the same fees for traveling as are allowed to constables in similar cases.

§ 16. The president and trustees of the town of Quincy shall cause an election to be held in said town, on the third Wednesday in March next, at which the inhabitants of said town who are authorized to vote for state officers, shall vote for or against the adoption of this charter; and if a majority of the votes given at such election shall be in favor of the adoption of said charter, then

it shall immediately take effect as a law; but if a majority of the votes given shall be against the adoption of said charter, then this act to be of no effect.

NEWTON CLOUD,

Speaker of the House of Representatives, pro tem.

S. H. ANDERSON,

Speaker of the Senate.

Approved by the council, Feb. 3, 1840.

THOS. CARLIN.

TOWNS AND CITIES.

AN ACT to incorporate towns and cities.

- Sec. 1. Persons committed to jail required to work on roads.
2. May declare what shall be a nuisance.
3. To pave, grade, &c.
4. Powers to towns the same as given to cities.
5. Inhabitants of town may form a city.
6. Powers and duties.
7. Boundaries.
8. May purchase grounds.
9. Taxes.

Be it enacted by the people of the State of Illinois, represented in the General Assembly :

SEC. 1. That any incorporated town or city in this state may have power to provide by ordinance that every person against whom any judgment may hereafter be recovered in favor of said town or city, for a penalty or fine for a breach of any ordinance, instead of being committed to jail, may be required to labor on the streets until the whole fine and costs shall be paid, at the same rate per day as may be allowed as a forfeiture for a failure to perform street labor under the direction of the street commissioner.

§ 2. The corporate authorities of any city or town in this state may have power to declare what shall be a nuisance, and to prevent and remove the same as much as one-half mile beyond the limits of the corporation, with full power to impose a fine for a violation of any ordinance to that effect.

§ 3. Whenever it may be necessary to pave or grade any street or front lots, or to fill up or alter any lot that may be declared to be a nuisance, said corporate authorities may have power, upon the failure of the owner of any lot to pave, grade or fill up said lot, or to pay the taxes or fine that may be assessed on the owner or owners thereof, to require that said lot, or so much thereof as may be necessary, shall be sold for the payment of the tax or fine and cost, in the manner authorized for the collection of other taxes; and all assessments so made shall constitute a lien on said lot.

§ 4. The corporate authorities of all towns and cities incorporated under chapter twenty-five, entitled "corporations," of the revised code, or under any special act, shall have power to pass all the ordinances and by-laws, and possess all the powers authorized under the laws and amendatory acts incorporating either of the cities of Springfield or Quincy; *provided*, that towns containing a population of less than fifteen hundred white inhabitants, shall have no other officers or allow any other compensation than is allowed under chapter 25th of the revised code, unless expressly authorized by law.

§ 5. The inhabitants of any town containing a population of not less than fifteen hundred inhabitants, may be incorporated by the name and style of the "city of ———," when a majority of the legal voters thereof shall vote in favor of being incorporated as a city, at an election to be held at the court-house, notice being given by being published for two weeks in succession in any newspaper published in said town, by the president and trustees of said town, or by giving such notice as may be prescribed under an ordinance passed by the president and trustees of said town.

§ 6. All the articles and provisions in either of the acts incorporating Quincy or Springfield, prescribing the duties of the president and trustees, ordering an election of city officers, prescribing the powers of the city, of the city council, executive officers, elections, legislative powers of the city council, of the mayor, proceedings in special cases, and miscellaneous provisions, shall be the rule by which the corporate authorities of any city incorporated under the provisions of this act shall be governed; *provided*, no city incorporated under this act shall be exempt from the payment of a county tax, nor be required to support the paupers.

§ 7. The boundaries of any city incorporated under this act may include one mile square, and any tract of land adjoining laid off into town lots and duly recorded as required by law, and any tract of land adjoining said city, with the consent of the owner thereof, within the limits of one-half mile from the boundary of said city.

§ 8. The inhabitants of any town or city, in the corporate name, may purchase, receive and hold real estate beyond the limits as [of] their corporate limits for the purpose of burying grounds.

§ 9. Whenever the corporate authorities of any town or city may wish to have the taxes, authorized to be levied under and by virtue of their respective charters, or under the general act, upon filing a

certificate of the rate authorized under the authority of the said corporation, in the office of the clerk of the county court, it shall be the duty of the collector of taxes for the state and county to collect the taxes for said town or city upon the assessment of the value of all the property within the limits of said corporation, as ascertained by the assessment for state and county purposes, and enforce the payment thereof in the same manner, and with all the rights, power and authority as he has to collect the state and county taxes, and shall pay the same over to the order of the corporate authorities at the same time he is required to pay over the county revenue; and the court of the proper county shall render judgment and order sale of any lot or tract for the non-payment of the tax and cost due said town or city, as is or may be provided for state and county taxes; and judgment and sale shall be rendered for the aggregate amount due for county, state and town, or city taxes. The collector shall receive the same compensation for collecting the taxes for any town or city as is allowed for the collection of the state and county revenue, to be paid out of the funds of the corporation; and he shall be liable on his bond for the faithful performance of the duties required under this act.

§ 10. This act to take effect from and after its passage.

Approved February 10, 1849.

AN ACT for the better government of towns and cities, and to amend the charters thereof.

SEC. 1. Inferior courts.

2. Number of magistrates.
3. Commissioned, &c.; proviso.
4. Rules of practice.
5. Marshal and constables.
6. Appeals.

Be it enacted by the people of the State of Illinois, represented in the General Assembly:

SEC. 1. That there shall be established in each of the cities of this state, inferior courts of civil and criminal jurisdiction, which shall [be] called police magistrates' courts.

§ 2. That there shall be elected in each of the incorporated towns and cities of this state, the population of which shall not exceed six thousand, an officer who shall be styled police magistrate of the city of _____, or town of _____, as the case may be; in each city

of this state having a population of over six thousand and not exceeding twelve thousand, there shall be elected two police magistrates; and in the cities of this state whose population shall exceed twelve thousand, there shall be elected three police magistrates. Said magistrates shall be elected by the legal voters of such city or town at the next regular election for city or town officers, and every four years thereafter.

§ 3. Said police magistrates, when elected, shall be commissioned and qualified in the same manner as justices of the peace are, and shall have in their respective counties the same jurisdiction, powers and emoluments as other justices of the peace in this state; and they shall also have jurisdiction in all cases arising under the ordinances of their respective towns and cities, and for any breaches thereof, where the amount claimed shall not exceed one hundred dollars; and in all cases arising under the ordinances of towns and cities, said magistrates shall be entitled to the same fees as justices of the peace now are for similar services, and to be collected in the same manner; *provided*, the city or town authorities of any such town or city may make such additional allowance to such police magistrates as they may deem just and expedient; and in all cases arising under the ordinances of any such town or city, change of venue shall be allowed from one police magistrate to another, in cities where there is more than one such magistrate, and in all other towns and cities from such police magistrate to the nearest justice of the peace, to be applied for in the same manner, and granted on the same conditions and in the same manner as changes of venue from justices of the peace now are.

§ 4. The rules of practice and proceeding before such police magistrate shall conform to the practice and proceeding before justices of the peace, except in cases where such rules of practice and proceeding shall be changed or modified by the charter of such town or city; in which case such rules of practice and proceeding shall conform to the said charters.

§ 5. The city marshals of such towns or cities, and all constables of the county in which said town or city may be situated, and all the town or police constables of such towns or cities respectively, shall be and are hereby authorized to execute all process and orders issued or made by said police magistrates in their respective counties.

§ 6. Appeals shall be allowed from the decisions of police magis-

trates in all cases, to be applied for and taken in the same manner that appeals from justices of peace may be taken.

§ 7. This act to take effect and be in force from and after its passage.

Approved February 27, 1854.

AN ACT to amend "An act to incorporate the city of Quincy."

SEC. 1. Part of third section of act repealed: qualifications of electors.

2. Part of second section repealed; qualifications for voters.

Be it enacted by the people of the State of Illinois, represented in the General Assembly:

SEC. 1. That so much of third section of article second, and section second of article third, of the act to which this is an amendment, as requires the mayor and aldermen of said city to be citizens of the United States, be and the same is hereby repealed; and hereafter every inhabitant of said city who is entitled to vote for state officers, and who has the requisite length of residence according to the act to which this is an amendment, shall be eligible to the office of mayor or alderman of said city.

§ 2. That so much of section second of article fourth of the act to which this is an amendment, as requires persons to be citizens of the United States to be entitled to vote for city officers, be and the same is hereby repealed, and hereafter every inhabitant of said city who is entitled to vote for state officers, and who has the other requisite qualifications mentioned in said section, shall be entitled to vote for city officers.

Approved February 27, 1841.

AN ACT to prevent cities and towns from issuing warrants to circulate as money.

SEC. 1. Cities and towns to draw but one warrant for a debt due to one person.

2. Warrants to be drawn only in favor of the person to whom due.

3. Not to be paid unless presented by the person to whom issued.

4. Penalty for violation of this law.

Be it enacted by the people of the State of Illinois, represented in the General Assembly:

SEC. 1. That in all cases where any city or town in this state shall be indebted to any person or persons, on any account whatsoever,

a warrant or voucher shall be drawn on the treasurer of such city or town for the whole amount found due to such person by the tribunal having power to audit and allow claims against such city or town; and such tribunal shall not in any case draw more than one warrant or voucher for the amount allowed to one individual at one time.

§ 2. No warrant or voucher drawn on the treasurer of any city or town shall be drawn in favor of any other person than the one to whom the same may be due, and such warrant or voucher may be in the form now prescribed by law.

§ 3. No treasurer of any city or town in this state shall pay any warrant or voucher drawn on him, unless such warrant be presented for payment by the person in whose favor such warrant is drawn, or his assignee or executor or administrator.

§ 4. Any officer or officers of any town or city that shall be guilty of violating the provisions of the [this] act, shall be deemed guilty of a misdemeanor in office; and for every such violation shall be fined in a sum not exceeding five hundred dollars, to be recovered by indictment.

§ 5. Nothing in this act shall be so construed as to prevent the treasurer of any city or town from paying any warrant or voucher that may have been drawn on him prior to the passage of this act.

Approved March 4, 1843.

AN ACT supplemental to an act entitled "An act to provide for a general system of railroad incorporations."

- SEC. 1. Stock may be subscribed.
2. May borrow money; bonds may be issued.
3. Bonds receivable.
4. Vote to be taken; notice.

Be it enacted by the people of the State of Illinois, represented in the General Assembly:

SEC. 1. That whenever the citizens of any city or county in this state are desirous that said city or county shall subscribe for stock in any railroad company already organized or incorporated, or hereafter to be organized or incorporated under any law of this state, such city or county may and are hereby authorized to purchase or subscribe for shares of the capital stock in any such company, in any sum not exceeding one hundred thousand dollars for each of such cities or

counties; and the stock so subscribed for or purchased shall be under the control of the county court of the county, or the common council of the city making such subscription or purchase, in all respects as stock owned by individuals.

§ 2. That for the payment of said stock, the judges of the county court of the county or the common council of the city making such subscription or purchase, are hereby authorized to borrow money at a rate not exceeding ten per cent. per annum, and to pledge the faith of the county or city for the annual payment of the interest and the ultimate redemption of the principal; or, if the said judges or common council should deem it most advisable, they are hereby authorized to pay for such subscription or purchase in bonds of the city or county making subscription, to be drawn for that purchase, in sums not less than fifty dollars, bearing interest not exceeding ten per cent. per annum; *provided*, that no bond shall be paid out at a rate less than par value.

§ 3. The railroad companies already organized or incorporated, or hereafter to be organized or incorporated under the laws of this state, are hereby authorized to receive the bonds of any county or city becoming subscribers to the capital stock of such company, at par, and in lieu of cash, and to issue their bonds, bearing interest not exceeding ten per centum per annum, for any moneys by them borrowed for the construction of their railroad and fixtures, or for the purchase of engines and cars; and for such purpose may dispose of any bonds by them received as aforesaid.

§ 4. No subscription shall be made or purchase or bond issued by any county or city, under the provisions of this act, whereby any debt shall be created by said judges of the county court of any county, or by the common council of any city, to pay any such subscription, unless a majority of the qualified voters of such county or city (taking as a standard the number of votes thrown at the last general election previous to the vote had upon the question under this act for county officers) shall vote for the same; and the judges of the county court of any county, or the common council of any city, desiring to take stock as aforesaid, shall give at least thirty days' notice, in the same manner as notices are given for election of state and county officers in said counties, requiring said electors of said counties or said cities to vote upon the day named in such notices, at their usual place of voting, for or against the subscription

for said capital stock which they may propose to make; and said notices shall specify the company in which stock is proposed to be subscribed, the amount which it is proposed to take, and the time which the bonds proposed to be issued are to run, and the interest which said bonds are to bear; or in case it is proposed to borrow money to pay such subscription, then the notices shall state the terms upon which such loan is to be effected; and the opinion of the electors shall be expressed upon their ballots "for subscription," or "against subscription," and counted and returned by the judges and clerks of elections as in other cases; and if a majority of the voters of said county or city, assuming the standard aforesaid, shall be in favor of the same, such authorized subscription or purchase, or any part thereof, shall then be made by said judges or common council. In case any election had under this act is held upon a day of a general election, then the number of votes thrown at such general election for county officers shall be the standard of the number of qualified voters as aforesaid. No bonds shall be issued under the provisions of this act by any county or city, excepting for the amounts required to be paid at the time of subscription, and for the amounts of and at the time when assessments upon all the stockholders of the said company shall be regularly assessed and made payable.

§ 5. This act shall take effect from and after its passage.

Approved November 6, 1849.

AN ACT to facilitate the construction of railroads.

SEC. 1. Bonds of cities and counties.

Be it enacted by the people of the State of Illinois, represented in the General Assembly:

SEC. 1. That any city or county in this state which, under the provisions of an act entitled "An act supplemental to an act entitled 'An act to provide for a general system of railroad incorporations,' approved November 5th, 1849," has heretofore subscribed or may hereafter subscribe for stock in any railroad company, payable in the bonds of said city or county, it shall be lawful for the city council of such city, or the judges of such county, and they are hereby authorized and empowered, to issue and deliver to such railroad company the whole or any portion of the bonds of such city or

county, payable on such subscription, at any time hereafter, when, in their opinion, the interest of such city or county will be promoted thereby, whether the assessments upon the stockholders of said company have been regularly assessed and made payable or not.

§ 2. This act to take effect and be in force from and after its passage.

Approved March 1st, 1854.

AN ACT to amend the charter of the Illinois River Railroad Company.

SEC. 16. The votes taken in the counties of Morgan and Mason and the city of Pekin, for subscribing stock to said railroad company, are hereby declared to have been legally made and taken; and stock shall be subscribed by the county courts of said counties and the proper authority of the city, in pursuance of the orders under which said votes were taken; and bonds shall be issued for said subscriptions accordingly.

Approved January 29, 1857.

AN ACT authorizing incorporated cities to change, alter and vacate streets or parts of streets.

- SEC. 1. Corporate authorities, power of.
2. Damages assessed.

Be it enacted by the people of the State of Illinois, represented in the General Assembly:

SEC. 1. That when the corporate authorities of any city may deem it for the best interest of their respective cities that any street or part of a street shall be changed, altered or vacated, said authorities shall have power, upon the petition of the property holders owning property on such street or part of street, to change, alter or vacate the same, and to convey, by quit-claim deed, all interest which said city may have had in said street or part of street so vacated, to the owner or owners of lots and lands next to and adjoining the same, upon the payment by such owner or owners of all assessments which may be made against their lots or lands, for and on account of benefits to the same arising from such change, alteration and vacation of any street or part of street as aforesaid.

§ 2. The benefits and damages caused by changing, altering or

vacating any street or part of street as aforesaid, shall be assessed and determined in the manner pointed out by the act incorporating such city, or by the ordinances thereof in other cases.

Approved February 15, 1851.

AN ACT to amend the charters of the several towns and cities in this state.

SEC. 1. Collector to collect delinquent tax; publication; county court to render judgment; issue precept.

2. Assessments for improving side-walks; apply to county courts; issue precept to sheriff; corporate authorities.

Be it enacted by the people of the State of Illinois, represented in the General Assembly:

SEC. 1. That in all cases where taxes assessed on real estate by the corporate authorities of any city or town in this state, except in the city of Chicago, are not paid within the time fixed by the corporate authorities of any such city or town, it shall be lawful for the collector of any such city or town, after giving notice of such application by advertisement at least thirty days previously to such application, in some newspaper published in said town or city, or if no newspaper should be published in said town or city, then by posting up printed or written notices of such intended application in at least four of the most public places in such town or city, to apply to the county court of the county in which such delinquent real estate may be situated, and cause judgment to be entered against such delinquent real estate for the amount of taxes due and unpaid, and costs. And the said county court shall proceed to hear and determine said application, and render judgment against said delinquent real estate in the same manner, and said judgment shall have the like effect, as though said delinquent list had been returned to the county court by the sheriff or collector of the county, in the collection of state and county taxes. And the county court shall issue its precept or order to the collector of said city or town, directing him to sell said real estate at public auction, to pay said delinquent taxes and costs; *provided*, that the corporate authorities of such towns or cities shall have full power to adopt any regulation or proceeding they may deem necessary to carry this section into full effect; *and provided, further*, that the corporate authorities of any town or city shall have power to fix the time of such application to the county court, and the time of sale of said real estate.

§ 2. In all cases where assessments have heretofore been made, or where assessments may hereafter be made, by the corporate authorities of any town or city in this state, on any lot or real estate in such town or city, for the purpose of improving any street, side-walk or alley in front of such lot or real estate, or for any purpose whatever, either by ordinance, resolution or other proceeding, and such assessment is not paid within the time fixed by the order, resolution or ordinance making such assessment, the corporate authorities of the several towns and cities in this state may apply to the county court of the proper county for judgment against said lot or real estate, for the amount of said assessment and costs; and the county court, on such application being made, shall render judgment against such lot or real estate for the amount of said assessment and costs, and shall issue its precept to the sheriff of the proper county, commanding him to sell said lot or real estate, or so much thereof as may be necessary, to pay said judgment and costs, in the same manner and with like effect as if sold upon execution at law; and the corporate authorities of the several towns or cities shall have full power to provide by resolution or ordinance for the making or levying any such assessment, and they shall have full power to fix the time of payment and the kind and time of notice of such assessment, and of the said application to the county court; and the corporate authorities of any town or city shall have full and complete authority to adopt any rule, regulation or proceeding which they may deem necessary to carry the provisions of this section into full and complete effect.

§ 3. This act to take effect from and after its passage.

Approved March 1, 1854.

AN ACT to amend an act, entitled "An act for the better government of towns and cities, and to amend the charters thereof," approved February 27, 1854.

SEC. 1. Term of office; vacancy, how filled.

Be it enacted by the people of the State of Illinois, represented in the General Assembly.

SEC. 1. That all police magistrates, when elected, shall severally hold their offices for the term of four years, and until others are elected and qualified; and in case of the death, resignation, or removal from the town or city of any of the said police magistrates,

their offices shall be deemed thereby vacated, and such vacancies shall be filled by special elections for that purpose, notified and conducted in the same manner as is now provided by law for special elections for justices of the peace.

§ 2. This act shall take effect and be in force from and after its passage.

Approved February 15, 1855.

AN ACT to amend an act, entitled "An act for the better government of towns and cities, and to amend the charters thereof," approved February 27, 1854.

SEC. 1. Default in election, how remedied.

Be it enacted by the people of the State of Illinois, represented in the General Assembly:

SEC. 1. That so much of said act as requires the officers therein named to be elected at the elections of officers for said towns and cities for the year A. D. 1854, be and is hereby so amended, that in those towns and cities where they fail to elect said officers in the said year 1854, they may elect them at the elections to be held therein for said officers in any subsequent year.

§ 2. This act to take effect and be in force from and after its passage.

Approved February 15, 1855.

AN ACT providing for the vacation of streets, alleys and town plats, in force April 26, 1859.

SEC. 1. To be vacated upon petition; benefits and damages.
2. Part of act repealed.

Be it enacted by the people of the State of Illinois, represented in the General Assembly:

SEC. 1. That the corporate authorities of any town or city shall have power to vacate streets and alleys and parts of streets and alleys, upon a petition of two-thirds of the property holders upon said street or alley. The benefits and damages caused by changing, altering or vacating any street or part of street or alley or part of alley aforesaid, shall be assessed and determined in manner pointed out by the

act incorporating such city or town, or by the ordinances thereof in other cases.

§ 2. That so much of the second section of the act to provide for the vacating of town plats, approved February 16, A. D. 1847, as provides that said act shall not apply to the original plat or map of any town located or laid out as or for a county seat, so long as the county seat shall remain at such town, is hereby repealed.

Approved February 19, 1859.

SPECIAL ACTS

AMENDING

CHARTER OF THE CITY OF PEKIN.

AN ACT to amend an act, entitled "An act to extend the corporate powers of the town of Pekin, and to confirm the action of the president and trustees of said town in certain cases."

Be it enacted by the people of the State of Illinois, represented in the General Assembly:

SEC. 1. That whereas, the president and trustees of the town of Pekin have sold and conveyed all their right, title and interest, both at law and in equity, of, in and to the ferry across the Illinois river within the corporate limits of said town of Pekin, granted to them by the said act aforesaid, and to Benjamin S. Prettyman, his heirs and assigns forever, and granted him a license to keep the same; therefore, the said acts of the said president and trustees of said town shall be and they are hereby approved, and the said Benjamin S. Prettyman, his heirs and assigns, are hereby confirmed in their title to said ferry, granted to him and to them by said president and trustees of said town of Pekin, subject to the statutes of the state of Illinois regulating public ferries.

Approved February 10, 1849.

AN ACT to approve and extend the corporate powers of the city of Pekin.

SEC. 1. Acts legalized.

2. Authority to widen and extend streets.

Be it enacted by the people of the State of Illinois, represented in the General Assembly:

SEC. 1. That all the acts of the president and trustees of the town of Pekin, in the county of Tazewell, and the inhabitants thereof, in adopting and organizing the said town of Pekin into the city of Pekin, under the act of 1849 regulating towns and cities, and all

the acts of the officers of said city of Pekin done and performed by virtue of said city authority, shall be and the same are hereby completely and fully legalized, ratified, confirmed and approved, the same as though the said city of Pekin had been duly incorporated by said act of 1849 regulating towns and cities, with all the powers and authority of the cities of Springfield and Quincy; and said city of Pekin shall, in all things, have and enjoy all the powers and authority conferred by law on said cities of Springfield and Quincy.

§ 2. *And be it further enacted*, That the said city of Pekin shall be and is hereby authorized and empowered to widen and extend the streets in said city whenever and wherever the public good may require the same; *provided*, that the property embraced or taken by said city, in widening and extending said streets, shall be first valued and paid for by the city, in accordance with the provision of the charter of the city of Springfield, in cases of widening and extending streets.

This act to be in force from and after its passage.

Approved January 24, 1851.

AN ACT to amend the charter of the city of Pekin.

SEC. 1. Power to borrow money.

2. Tax authorized.

3. Suppression of the sale of intoxicating drinks.

Be it enacted by the people of the State of Illinois, represented in the General Assembly:

SEC. 1. That the city of Pekin is hereby authorized to borrow any sum or sums of money, not exceeding fifty thousand dollars, for the purpose of making a steamboat landing at said city of Pekin, and otherwise improving the city, and issue her bonds for the payment of any money she may borrow under the provisions of this act.

§ 2. The city council of the city of Pekin is hereby authorized to lay, assess and collect annually, a tax of not exceeding one per cent. on all taxable property, both real and personal, within the limits of said city of Pekin, as a revenue for city purposes.

§ 3. The city of Pekin shall have power and authority to enact and pass ordinances, not inconsistent with the laws of this state, to suppress and restrain the sale of intoxicating liquors, tippling houses and dram shops, and all fines, forfeitures and penalties that may be assessed and collected from any person or persons, within the city of

Pekin, for the violation of any ordinances of the city of Pekin, passed or that may hereafter be passed for the suppression of dram shops or tippling houses in said city of Pekin, shall accrue to and be paid into the treasury of the said city of Pekin.

§ 4. This act to take effect and be in force from and after its passage.

Approved June 19, 1852.

AN ACT to amend an act to amend the charter of the city of Pekin.

- SEC. 1. Build road, &c.
2. Application of moneys.
3. Take stock.
4. To levy tax.

Be it enacted by the people of the State of Illinois, represented in the General Assembly:

SEC. 1. That the city of Pekin is hereby authorized to build and construct an embankment and plank road across the Illinois river bottom, opposite said city, and that the right of way over all lands belonging to the state of Illinois be and is hereby granted to said city of Pekin for the use of said road, one hundred feet in width, on such route as shall be adopted for said road.

§ 2. That the city of Pekin is hereby authorized to apply any money or moneys which she may have at her control, for the purpose of building said road; that she may contract with any person or persons to construct said road, and have the entire control of the same when completed; to make such rules and regulations for the management and preservation of the same, not contrary to the laws of Illinois, as said city shall deem best.

§ 3. That the city of Pekin is hereby authorized to subscribe and take stock in any rail or plank roads leading to and from said city, not exceeding in all the sum of one hundred thousand dollars; and that the said city be authorized to borrow such sum or sums of money as may be so subscribed, and issue her bonds for the payment of the same.

§ 4. That the said city of Pekin is hereby authorized to levy such tax on the taxable property of said city as shall be sufficient to pay all interest as it accrues on any bonds she may issue for the above purpose.

§ 5. This act to be in force from and after its passage.

Approved February 12, 1853.

AN ACT to amend the charter of the city of Pekin.

- SEC. 1. Expend money.
2. Bridge.

Be it enacted by the people of the State of Illinois, represented in the General Assembly :

SEC. 1. That the city of [Pekin] is hereby authorized to appropriate and expend any sum not exceeding five thousand dollars on or to open a road from the bluffs on the west side of the Illinois, opposite Pekin, to the northwest corner of township seven north, range seven east, in Peoria county.

§ 2. That the city of Pekin is hereby authorized to contract with any railroad company, by sale of her ferry across the Illinois river to said company or otherwise, for the transporting or crossing of persons, teams, horses, wagons and other things, by a bridge or otherwise, instead of ferrying over; *provided*, that nothing contained in this act shall be so construed as to authorize the construction of a bridge unless by act of the legislature.

That this act shall be in force from and after its passage.

Approved February 27, 1854.

AN ACT extending the corporate limits and powers of the city and town of Pekin.

Be it enacted by the people of the State of Illinois, represented in the General Assembly :

SEC. 1. That the corporate limits of the city of Pekin be and the same is hereby extended over and so as to include therein all of the territory contained in the following boundaries, to wit: Beginning at the Illinois river on the south side of section four, in township twenty-four north, of range five, west of the third principal meridian; thence east to the southeast corner of section two, in said township; thence north two miles; thence west to the west bank of the Illinois river; thence down along the west bank of the Illinois river to a point due north of the place of beginning; thence south to the place of beginning. And all of the corporate powers, rights and privileges of said city of Pekin shall be and the same is hereby authorized to be held, exercised and enforced by the authorities of said city within said bounds, to the same extent and in the same manner as they are now held and exercised within said city.

In force February 14, 1859.

AN ACT to amend the charter of the city of Pekin.

- Sec. 1. Streets and alleys.
2. Damages occasioned by opening streets, &c.
3. Commissioner's duty.
4. Appraisement.
6. Award of commissioners.
7. Removal of buildings.
8. Notice of confirmation by council.
9. Right of appeal; collector's fees.

Be it enacted by the people of the State of Illinois, represented in the General Assembly:

SEC. 1. That the common council of the city of Pekin shall have power to lay out streets, alleys, lanes and highways, and to alter, widen, contract, straighten and discontinue the same, within the limits of said city; and shall have the power to assess the damages and recompense due the owner or owners of lots or land, for right of way, and all other expense of any such improvement, upon the lots and real estate benefitted by the improvement, in proportion, as nearly as may be, to the benefits resulting to each parcel of land.

§ 2. Whenever any street, lane, alley or highway, or whenever any altering, straightening or widening the same shall be deemed necessary by the common council of said city, the said council shall pass an order or resolution declaring the commencement, general course and terminus of such street, lane, alley or highway. Such order shall specify what part thereof is to be altered, straightened or widened; and after the passage of such resolution, said council shall give notice, by publication in some public newspaper published in said city of Pekin, of their intention to appropriate and take land necessary for such improvement. At any time after publishing such notice, as aforesaid, for three successive times, it shall be lawful for said council to choose, by ballot, three disinterested freeholders residing in said city, as commissioners, to ascertain and assess the damage and recompense due the owners of such land, respectively; and at the same time determine what property will be benefitted by such improvement, and assess the damage and expense thereof on the real estate so benefitted, in proportion, as nearly as may be, to the benefits resulting to each lot or parcel of property.

§ 3. The commissioners shall be sworn faithfully to execute their duty, to the best of their ability; and, before entering upon their duties, shall give five days' notice to all persons who are residents of said city, and who are known to them to be interested in the pro-

ceedings; which notice may be given to such person or persons personally, or by leaving the same at his, her or their usual place of abode, of the time and place of their meeting for the purpose of viewing said premises. But if any person or persons, known to said commissioners, are not residents of said city, notice of the time and place of their meeting shall be published twice in some newspaper published in said city; the first publication to be at least twenty days before the time of meeting. Said commissioners shall view the premises and receive any legal evidence, and may, if necessary, adjourn from day to day.

§ 4. The commissioners, in making their assessment, shall determine and appraise to the owner or owners the value of the real estate appropriated for such improvement and the injury arising to them, respectively, from the condemnation thereof; which shall be awarded to such owner or owners, respectively, as damages, after allowing therefrom for any benefit which such owner or owners may derive from such improvement. In estimating such damage the commissioners shall include the value of the buildings, (if the property of the owner of such land.) If the damage estimated to any person be greater than the benefits received from such improvement, or if such benefit be greater than such damage, in either case the commissioners shall strike a balance and carry the difference forward to another column, so that the assessment may show what is to be received or paid by the owner or owners, respectively, and the difference only shall, in any case, be collectable of them or paid to them.

§ 5. If the lands and buildings belong to different persons, or, if the land be subject to lease or mortgage, the injury done to such person or persons, respectively, may be awarded to them by the commissioners, less the benefits resulting to them, respectively, from the improvement.

§ 6. Having ascertained the damages and expense of such improvement, as aforesaid, the commissioners shall thereupon apportion and assess the same, together with the costs of the proceedings, upon the real estate by them deemed benefitted, in proportion to the benefits resulting thereto from the improvements, as nearly as may be, and shall describe the real estate upon which their assessment shall be made. When completed the commissioners shall sign and return the same to the common council of said city, within forty days after their appointment.

§ 7. If there should be any building standing, in whole or in part, upon the land to be taken, the commissioners shall also estimate the value of the building to the owner, aside from the value of the land, and the injury in having such building taken from him, and the value of such building to him to remove; and if such owner shall be willing to remove such building, he shall be allowed such time for that purpose as the commissioners shall allow; but if the owner shall refuse to remove the building or take it at the value put upon it by the commissioners, for the purpose of removal, said commissioners shall sell such building, at public or private sale, for cash; and the proceeds shall be paid to the owner or deposited to his use; and the amount for which such building shall be sold shall be paid to him or deposited to his use; the same shall be deducted from the amount of damages assessed to him for lands and building, both, as specified in the 4th section of this act, and the difference only shall be paid to such owner or owners.

§ 8. When the assessment has been returned by the commissioners, the clerk of said city shall give notice, by at least two publications in some newspaper published in said city, that said assessment has been returned, and that on a certain day, in said notice to be named, said assessment will be confirmed by the common council of said city, unless objection be made by some person interested. Objections may be heard before the council, and they may adjourn the hearing, from day to day, and shall have power to annul said assessment, in whole or in part. If the whole is annulled, or the whole proceedings, if confirmed, an order to that effect shall be entered. If annulled in part or confirmed in part, an order to that effect shall be entered; and said council may refer said matter back to said commissioners, or any part thereof; and in such case the commissioners shall proceed, in all respects, as upon their first appointment; and upon notice, as above required, the council may confirm or annul, as in this act specified in regard to the first return of the commissioners. Said council shall have power to remove commissioners, and, from time to time, appoint others in the place of such as may be removed, refuse or neglect or be unable, from any cause, to serve.

§ 9. Any person interested may appeal from any final order confirming the assessment of such commissioners, in whole or in part, or any final order directing the opening or widening or straightening

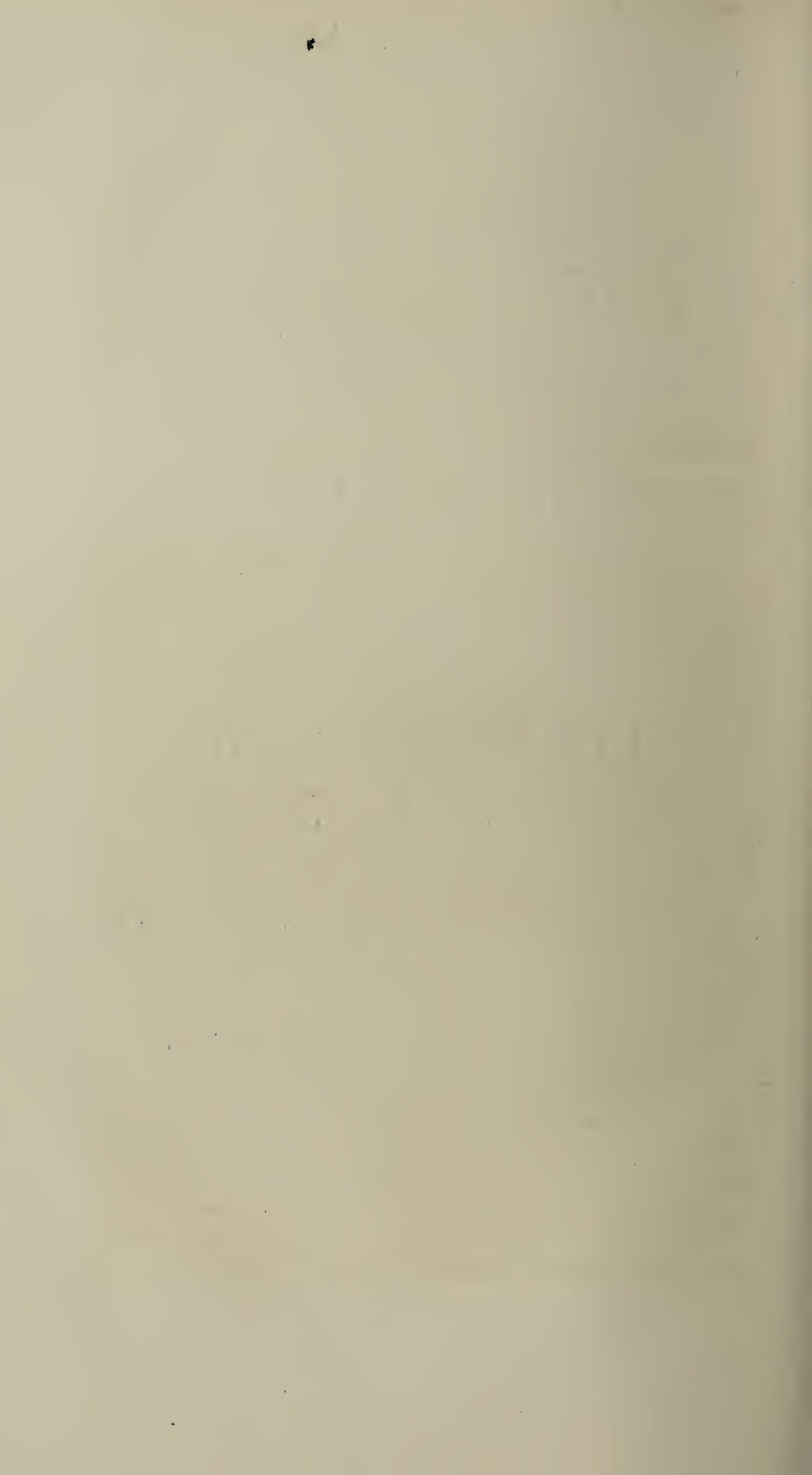
any street, lane, alley or highway, to the circuit court of Tazewell county, by notice, in writing, to the mayor or clerk, at any time before the expiration of thirty days from the passage of such final order. In case of appeal the common council shall, within thirty days after notice of such appeal, make a return of all the proceedings. And the court shall, at the next term after the return filed in the office of the circuit clerk of said county, hear and determine such appeal, and confirm or annul the proceedings. When such assessment shall be confirmed, in whole or in part, by the common council of said city, and no appeal shall be taken, or when such assessment, upon appeal, shall be confirmed, in whole or in part, upon such appeal, it shall be the duty of said council to cause the amount, as assessed against each lot, to be certified to the clerk of the county court of said county, whose duty it shall be to extend the amount so assessed upon the lots and parcels of land specified; and it shall be the duty of the collector of taxes for the state and county to collect such tax and assessment and to enforce the payment thereof, in the same manner, with all the rights, power and authority he has to collect state and county taxes, and shall be required to pay over the same to the corporate order of said city, at the same time he is required to pay over the county revenue. And the county court of said county shall render judgment and order sale of any lot or tract, for the non-payment of the tax or assessment, as returned by said common council, as is now or may be provided for state and county taxes; and judgment and sale shall be rendered for the aggregate amount due for county, state and town or city taxes. The collector shall receive the same compensation for collecting such assessment or tax as for collecting other taxes, and shall be subject to the same liabilities. No land shall be appropriated, by virtue of this act, until the damages awarded therefor to any owner thereof shall be paid or tendered to such owner, or, in case such owner cannot be found in the city, deposited to his or her credit in some place of deposit.

Approved February 20, 1861.

REVISED ORDINANCES

OF THE

CITY OF PEKIN.



REVISED ORDINANCES.

CITY LIMITS.

AN ORDINANCE defining the limits of the city of Pekin.

SEC. 1. Boundaries of the city of Pekin.

Be it ordained by the city council of the city of Pekin:

That from and after the passage of this ordinance, the city of Pekin shall include and contain one mile square, to wit: Beginning at the northwest corner of the northeast quarter of section three, in township No. 24, north of range No. five west of the third principal meridian; thence south half a mile; thence east one mile; thence north one mile; thence west one mile; thence south half a mile, to the place of beginning; and also all lots or parts of lots which were originally laid off as parts of the town of Pekin and Cincinnati, and all extensions and additions to the towns of Pekin and Cincinnati, and all the public grounds, streets and alleys therein, and every part thereof, by whatever name such addition may be called which lies out of the one mile square as above described, and which are adjoining said city now or which may hereafter adjoin and be laid off and recorded in the county of Tazewell; also all lands and lots which are not so laid off and recorded as town lots, that are now or may hereafter be from time to time within half a mile of the limits of said city as above described, which the owner or owners may consent to have included within the limits thereof, and all lands, lots, streets, alleys, public grounds, and the Illinois river included in said mile square, and all lots of lands, public grounds, streets, alleys, and the middle of the Illinois river, and all such lots, lands, streets and alleys in any part of the original towns of Pekin and Cincinnati or any addition thereof, which lies out of the mile square as aforesaid, either now on record or which may hereafter be laid off and recorded, shall be and are hereby declared to be within the limits of the city of Pekin.

CITY SEAL.

AN ORDINANCE in relation to the corporate seal of the city of Pekin.

SEC. 1. Seal established; in what cases to be used.

2. Shall remain in the custody of the clerk; how used.

Be it ordained by the city council of the city of Pekin:

SEC. 1. That a seal in a circular form, with the words "City of Pekin, Illinois," on the outer circle, and in the interior and center of the said circle a figure of a steamboat, shall be the seal of the city of Pekin, to be used in all cases that have been or shall hereafter be provided by the laws of the United States, the laws of the several respective states of the United States and the ordinances of said city of Pekin, and in all cases in which, by the laws and customs of nations, it is necessary to use a seal by a corporation.

§ 2. The said seal shall be and remain in the custody of the clerk of said city, to be by him used as is provided in the first section of this ordinance.

WARDS OF THE CITY.

AN ORDINANCE dividing the city of Pekin into wards.

SEC. 1. City to be divided into wards.

2. First ward and its boundaries.

3. Second ward and its boundaries.

4. Third ward and its boundaries.

5. Fourth ward and its boundaries.

Be it ordained by the city council of the city of Pekin:

SEC. 1. That the territory embraced within the corporate limits of the city of Pekin shall be divided into four wards, which shall be bounded as hereinafter described.

§ 2. That all that part of Pekin which lies south of Court street, in the town of Pekin, and west of Third street in the town of Pekin, and Pleasant street in the town of Cincinnati, be and the same is declared to be the first ward in said city.

§ 3. And all that part lying north of Court street and west of Third street and Bailey's addition, be and the same is hereby declared the second ward in said city.

§ 4. All that part of said town lying north of Court street and east of Third street, including Bailey's addition, be and the same is hereby declared to be the third ward in said city.

§ 5. And all that part which lies south of Court street and east of Third street in the town of Pekin, and Pleasant street in the town of Cincinnati, be and the same is hereby declared to be the fourth ward in said city; *provided*, said wards shall not together contain more territory than is permitted within the limits of a city by virtue of said act of general assembly, in force February 10, 1849.

MEETINGS OF COUNCIL.

AN ORDINANCE fixing the time of the meeting of the city council of the city of Pekin.

- SEC. 1. Stated meetings, when and where held; special meetings, by whom called,
2. Penalty for non-attendance.

Be it ordained by the city council of the city of Pekin :

SEC. 1. That the stated monthly meetings of the city council shall be held on the first Monday of every month, at such place within the limits of said city as the city council may, from time to time, order and direct; that special meetings thereof shall be called by the mayor or any two aldermen, by leaving written or printed notices of the time and place of holding the same at the residence of the respective members, unless the same shall be personally served on such members; the service of such notices shall be and is hereby made the duty of the city marshal.

§ 2. That if any member of said council shall absent himself from any meeting of the same, he shall be subject to a fine of one dollar, unless, for good and sufficient cause shown, he shall be excused by the council for non-attendance.

OFFICERS—APPOINTMENT OF.

AN ORDINANCE to provide for the appointment of city officers.

Be it ordained by the city council of the city of Pekin :

SEC. 1. That at the first meeting after the organization of the city council in each year, or as soon thereafter as may be, there shall be appointed, by ballot or otherwise, by the city council, the following city officers :

Clerk; Attorney; Treasurer; Marshal; Street Commissioner; Measurer of Wood; Fire Warden; City Engineer; Weigher of Hay

and Stone Coal; Harbor Master; Auditor; Three Inspectors of Elections to each ward.

CITY OFFICERS.

AN ORDINANCE to punish city officers for neglect of duty.

Be it ordained by the city council of the city of Pekin:

SEC. 1. That every officer who now is or shall be appointed by the city council, who shall neglect or refuse to perform the duties required of him, either by the ordinances now in force, or such as may hereafter be established, after having taken upon himself the burden of performing the duties of such office, shall, on proof before the police magistrate, be fined and forfeit and pay the sum of five dollars for each and every offense committed, or omission or neglect of duty on his part.

FEES.

AN ORDINANCE regulating the compensation of city officers.

- SEC. 1. Treasurer's compensation.
2. City attorney's compensation.
3. City clerk's compensation.
4. City marshal's compensation.
5. City wood measurer.
6. City fire warden.
7. City engineer.
8. Weigher of hay and stone coal.
9. Harbor master.
10. Inspectors of election.
11. Police magistrate.
12. Auditor.

Be it ordained by the city council of the city of Pekin:

SEC. 1. The city treasurer shall receive a compensation for his services of two and a half cents on each and every dollar on all moneys received by him by virtue of his said office, to be deducted at the time of receiving the same, in full for all services done by him in his said office.

§ 2. The city attorney shall receive an annual salary of one hundred dollars, to be paid quarterly, and a fee of one dollar and fifty cents for each suit by him prosecuted before the police magistrate, wherein said city is plaintiff, and where judgment is recovered for a

penalty, and the penalty collected ; which sum shall be taxed against the defendant as costs to be recovered against him ; *provided*, said attorney shall not be entitled to said fee unless the same is collected from the defendant.

§ 3. The city clerk shall receive an annual salary of two hundred dollars, to be paid quarterly, and the following fees :

For issuing license to tavern keepers, keepers of ordinaries, eating houses, retailers of wines, spirituous and fermented liquors, fifty cents.

For issuing license to billiard tables, nine and ten pin alleys, shuffle boards, bagatelle tables, each fifty cents.

For issuing license to owners of drays, wagons, carts and other vehicles, each twenty-five cents.

For issuing license to auctioneers, pedlars, showmen and exchange brokers, each fifty cents.

For issuing all other licenses, each fifty cents.

For taking bond under any ordinance requiring the same, each one dollar.

For making and certifying copy of any ordinance, resolution or other matter of record in his office, ten cents for every one hundred words.

For attaching the seal of the city thereto, fifty cents.

For giving a certificate under the seal of said city, one dollar.

Provided, he shall not be entitled to any of said fees when done at the request of and for said city.

§ 4. The city marshal and street commissioner shall receive an annual salary of five hundred dollars, and such fees as are allowed to constables when serving processes and other writs ; *provided*, that said city shall pay no costs to said marshal in any case.

§ 5. The measurer of wood shall receive such compensation as is allowed by ordinance in relation to his duties.

§ 6. The fire warden shall receive an annual salary of _____ payable quarterly.

§ 7. The city engineer shall receive such compensation as is allowed by ordinance in relation to his duties.

§ 8. Weighers of hay and stone coal shall receive the fees defined in the ordinance in relation thereto.

§ 9. The harbor master shall receive such fees and compensation as is defined in an ordinance in relation thereto.

§ 10. Inspectors and clerks of elections shall receive from the

city treasury the sum of one dollar each, for each and every day employed by them in any election held under the city charter, and making their returns to the city council.

§ 11. The police magistrate shall receive an annual salary of fifty dollars, payable quarterly, and the following fees :

For docketing each suit, twenty-five cents.

For taking affidavit on which to issue a warrant, twenty-five cents.

For issuing each subpoena, twenty-five cents.

Taking security for costs, twenty-five cents.

Issuing warrant for arrest, fifty cents.

Issuing summons in action of debt without arrest, twenty-five cents.

For issuing a jury warrant when required, twenty-five cents.

For administering oath, ten cents.

For entering judgment on confession, twenty-five cents.

For entering judgment on hearing evidence, fifty cents.

For entering an appeal, twenty-five cents.

For making and certifying transcript in appeal cases, fifty cents.

For issuing execution, twenty-five cents.

For issuing execution with authority to compel payment by labor or imprisonment, fifty cents.

Provided, that the said city shall pay no costs to the police magistrate in any case.

§ 12. The city auditor shall receive an annual salary of _____ payable quarterly.

OFFICERS—ELECTION OF.

AN ORDINANCE relating to the city officers of the city of Pekin.

- SEC. 1. Officers to be elected.
- 2. City marshal, duties of.
- 3. Ordinances repealed.

Be it ordained by the city council of the city of Pekin :

SEC. 1. That at the annual election of said city, to be held on the third Monday of April, A. D. 1860, and at each annual election held thereafter, there shall be elected, by the qualified voters of said city, in addition to the officers already elected, one city clerk ; one city attorney ; one city marshal ; one city treasurer ; and one city engineer, who shall receive the same emoluments and serve the length of time heretofore provided by ordinance.

§ 2. That the city marshal of said city shall be *ex-officio* street

commissioner and harbor master, and shall discharge all the duties pertaining to said offices, and receive all the emoluments connected with the same.

§ 3. That all ordinances and parts of ordinances coming in conflict with this ordinance, are hereby repealed.

Passed March 15, 1860.

OFFICERS—REPORTS OF, &c.

AN ORDINANCE relative to city officers.

SEC. 1. Oath of office.

2. City council to meet quarterly and require reports of officers.

3. Duty of officers to make reports; to pay over moneys to treasurer under penalty.

4. Failure to do so, office to be declared vacant.

5. Duty of clerk to publish statement of the financial affairs of the city.

Be it ordained by the city council of the city of Pekin:

SEC. 1. In all cases where persons are appointed to office by the city council, except inspectors of election, it shall be their duty to take and subscribe the same oath or affirmation as is now required to be taken by other city officers, which oath or affirmation shall be filed with the clerk of the city of Pekin.

§ 2. It shall be the duty of the city council to meet on the first Monday of December, March, June and September, in each and every year, for the special purpose of making quarterly settlements with all city officers and others receiving and disbursing the city revenue, and it is hereby made the duty of the mayor, on the quarter days aforesaid, to call for the reading of such reports before proceeding to other business.

§ 3. It shall be the duty of all city officers appointed by the council and acting under the city ordinances, and all other persons into whose hands any money may come belonging to the city of Pekin, under and by virtue of any ordinance of said city, to make each a written report to the council, on or before the day specified in the second section of this ordinance, setting forth their proceedings of the preceding quarter, together with the treasurer's receipt for all money that may come into their hands belonging to the city of Pekin; and in case of neglect or refusal to make such report, accompanied by the treasurer's receipt, each person so neglecting or

refusing shall be fined in a sum not exceeding one hundred dollars, nor less than five dollars, to be collected before the police magistrate or any justice of the peace.

§ 4. It shall be the duty of the city council to declare the office to which any person shall have been elected or appointed under the ordinances of the city vacant, who shall fail to comply with the provisions of the first and third sections of this ordinance, and they shall at once proceed to fill such vacancy.

§ 5. It shall be the duty of the city clerk in the first week in December, March, June and September, in each and every year, to make out and publish a statement of the city finances for the previous quarter, in some public newspaper printed in the city.

ORDINANCE REPEALED.

AN ORDINANCE to repeal an ordinance, entitled "An ordinance relating to city officers of the city of Pekin."

Be it ordained by the city council of the city of Pekin :

SEC. 1. That an ordinance, entitled "An ordinance relating to city officers of the city of Pekin," passed March 15th, 1860, be and the same is hereby repealed and annulled, and that all officers named in said ordinance shall hereafter be appointed by the city council as by ordinance heretofore required, and said officers shall be subject to removal at the pleasure of said city council; and all ordinances repealed by said ordinance above named, are hereby revived and continued in full force.

Passed February 23, 1861.

THE MAYOR TO ISSUE AND SIGN BONDS.

AN ORDINANCE authorizing the mayor to issue and sign bonds of the city of Pekin.

- SEC. 1. Mayor to issue bonds.
2. Interest, where paid.

Be it ordained by the city council of the city of Pekin :

SEC. 1. That the mayor of the city of Pekin is hereby authorized and directed to issue the bonds of the city of Pekin, to the amount of eighteen thousand dollars, payable twenty years after date, with

interest at the rate of eight per cent. per annum, payable semi-annually, under the provisions of an act of the general assembly of the state of Illinois, approved June 19, 1852, entitled "An act to amend the charter of the city of Pekin."

§ 2. The interest on said bonds, issued under section first, and principal, shall be made payable at the office of Duncan, Sherman & Co., in the city of New York.

THE MAYOR TO ISSUE AND SIGN BONDS.

AN ORDINANCE authorizing the mayor to issue and sign bonds of the city of Pekin.

- SEC. 1. Mayor to issue bonds.
2. Interest, where paid.

Be it ordained by the city council of the city of Pekin :

SEC. 1. That the mayor of the city of Pekin is hereby authorized and directed to issue the bonds of the city of Pekin to the amount of twenty-five thousand dollars, payable in twenty years after date, with interest at the rate of eight per cent. per annum, payable semi-annually, under the provisions of an act of the general assembly of the state of Illinois, approved June 19, 1852, entitled "An act to amend the charter of the city of Pekin."

§ 2. The interest on said bonds, issued under section first, and principal, shall be made payable at the office of Duncan, Sherman & Co., in the city of New York.

CITY ATTORNEY.

AN ORDINANCE providing for the appointment of an attorney for the city of Pekin, and prescribing his duties.

- SEC. 1. Appointment and duties.
2. Give opinion as to title of real estate.

Be it ordained by the city council of the city of Pekin :

SEC. 1. That at the first meeting after the organization of the city council in each year, there shall be appointed by ballot, from the members of the bar in the city of Pekin, by the city council, an attorney for the city, who shall hold his office for one year and until his successor is elected, and who shall advise the council and officers of the city upon such legal questions as may be from time to time

referred to him affecting the interests of the corporation, and attend to all suits which are now pending, or which may be commenced, in which the city may be interested, or a party in the courts held in the county of Tazewell, and perform such other professional duties as may be from time to time required by the council.

§ 2. That whenever the city is about to purchase any real estate, the said city attorney shall be furnished with title papers, and no contract shall be made or money paid on account of any purchase of real estate, until he shall have given his opinion in writing as to the validity of the title thereof, which opinion shall be filed with the clerk.

CLERK OF CITY.

AN ORDINANCE for the appointment of a clerk of the city of Pekin, and prescribing his duties.

- SEC. 1. Mode of appointment and qualification.
2. Duties of clerk.
 3. Keep all records, papers, &c., of the city.
 4. Keep accounts of city.
 5. Index ordinances, &c.
 6. Keep records of licenses.
 7. Sign all contracts, &c.
 8. Compensation.

Be it ordained by the city council of the city of Pekin :

SEC. 1. That there shall be annually appointed by the city council a clerk, to serve for one year, and until his successor is qualified, who shall, before he enters upon the duties of his office, execute a bond to the city with security in the penal sum of five hundred dollars, to be approved by the city council, with condition that he will faithfully discharge the several trusts and duties of his office, as prescribed in this or any other ordinance, and subject to removal for breach of duty, by a vote of a majority of the city council.

§ 2. That the clerk shall attend at every meeting of the city council, and shall keep a correct record of all proceedings of the city council, and safely keep the corporate seal, and use it in all cases where necessary, whenever applied to for that purpose; he shall notify all members of the city council of said city of all special meetings of said council, by personal notice of the time of such meeting, or through the post office; he shall notify all committees appointed by said council of their appointment, and of the business

referred to them; he shall notify all judges of elections of their appointment, and he shall prepare venires for opening streets, alleys, or other ways under the city charter or ordinances, for assessing of damages under the direction of the city council; he shall prepare orders for special elections; he shall prepare bonds or scrip for loans, and perform all other duties which, by usage and custom, devolve upon clerks and secretaries of incorporated bodies; and to facilitate the discharge of his duties, he may and is hereby authorized to procure for said city such blank forms as may be necessary for the above purpose.

§ 3. That the said clerk shall keep all the records, papers, ordinances, votes and proceedings of the city council, and of the city of Pekin during the recess of the city council, and all returns of assessments and of election of city officers, and shall record in a book all ordinances of said city, and all the appointments of officers for the city, and have all the ordinances published immediately after their passage, and shall not suffer any records or paper, or other instrument of writing, to be taken out of his office by any other person than himself, the mayor, or a committee appointed by the city council to examine accounts, under the penalty of five dollars and a further forfeiture of the amount of all damages that may accrue by the loss or obliteration of any records or papers of the city; and should any be lost or obliterated, and should the mayor or any committee of examination as aforesaid, suffer any record or paper entrusted to him or them by the clerk to be lost or obliterated, he or they shall be responsible for the damage that may accrue by such loss or obliteration.

§ 4. That the said clerk shall keep a regular account of debtor and creditor between the city and the city treasurer, by charging him with all sums received by him as exhibited in his duplicate receipts, and credit him with all appropriations made by the council, and for which the said clerk shall draw his order, stating in the same for what the appropriation is made, and have it endorsed by the mayor or the president of the council, and affix the seal of the city thereto; and also shall keep a regular account of debtor and creditor when appropriations are made and expenditures ordered, either to the committees or disbursing agents.

§ 5. That the said clerk shall index all ordinances by their titles, and shall keep a list of all committees appointed by said council, and of the business respectively from time to time referred to them,

and note when the committees report, and the date, and the nature of their report.

§ 6. The clerk shall be required to enter, in a book provided for that purpose, a true and correct account of all licenses and permits granted, the date, the price paid, and the time for which they are granted, and for what purpose.

§ 7. That the said clerk shall sign all deeds, contracts and leases made by the council, and, in conjunction with the mayor, sign all ordinances, bonds, licenses, and orders on the city treasurer, and affix the seal of the city thereto.

§ 8. That the clerk so appointed shall receive such compensation as the city council of the city shall by ordinance provide.

CITY TREASURER.

AN ORDINANCE providing for the appointment of a city treasurer, and prescribing his duties.

SEC. 1. Appointment of treasurer.

2. Duty of treasurer to give duplicate receipts.

3. Duty of treasurer to pay orders.

4. Treasurer to keep account of money received.

Be it ordained by the city council of the city of Pekin :

SEC. 1. That there shall be annually appointed by the council a city treasurer, to serve for one year or until his successor is qualified, who shall, before he enters upon the duties of his office, execute a bond to the city with security, in the penalty of such an amount as the city council shall deem sufficient, to be approved by the council, with conditions that he will faithfully discharge the several trusts and duties of his office, as prescribed in this or any other ordinance, and be subject to removal from his office for a breach of duty, by a majority of the council.

§ 2. That it shall be the duty of the treasurer of the city, from time to time, to take under his charge all money belonging to the city of Pekin, and give two receipts therefor to the person from whom he may receive the same, one of which receipts the person to whom the treasurer may give them shall hand over to the clerk of the city of Pekin, in order that the treasurer may be charged by the said clerk with the amount; and in no case shall any officer of the city of Pekin, or any other person, be released from his responsibility to the city of Pekin for any money he may, at any time, have

in his possession belonging to the city, until he shall hand over to the said clerk the treasurer's receipt for the same.

§ 3. That the treasurer shall pay out of the city treasury, upon orders drawn on him by the city clerk of the city of Pekin, which order shall state for what purpose the money is appropriated, and be endorsed by the mayor or president of the council and sealed with the city seal; and the orders and certificates thus drawn shall be vouchers for his expenditures; and if there shall be no funds in the treasury, the said treasurer shall endorse the day and year in which the same was presented, and all orders shall be paid by him in the order in which they were presented.

§ 4. That said treasurer shall keep a strict account of all moneys received by him as treasurer, particularly stating under proper heads the specific source from whence derived and from whence received, and for what purpose expended; and he shall make quarterly reports to the council of his receipts and expenditures and return his vouchers; and the said treasurer shall receive such compensation as shall be provided by ordinance for that purpose.

ENGINEER.

AN ORDINANCE prescribing the duties of city engineer in the city of Pekin.

Be it ordained by the city council of the city of Pekin:

SEC. 1. That it shall be the duty of the city engineer to superintend the grading, curbing, paving or planking of all streets, alleys, sidewalks, public squares, public landings, drains and sewers, and all other work of a public nature relative to streets and bridges in the city of Pekin, as shall be directed by the city council, and to contract for the materials for the same when directed by said council; also, do or cause to be done, when required by said council, all of the civil engineering of said city; to establish and determine, according to the plats of said city, when required by any person or persons so to do, the corners of such lots on either of the graded streets, or where such grade has been established by said city, and fix a stake on the corner on the front of said lots, marking on said stake the number of feet and inches the top of said stake is above or below the grade as fixed by ordinance; and each person so applying shall pay to the city engineer the sum of two dollars for each and every lot so staked and marked. The said engineer shall, when called upon

by the city council, report the progress of all or any contracts in operation, and shall, when requested by the city council, make estimates of any contemplated improvement and report the same, and perform such other services and duties as may be required of him by the said city of Pekin.

CITY MARSHAL.

AN ORDINANCE for the appointment of a marshal for the city of Pekin, and prescribing his duties.

- SEC. 1. Appointment of marshal.
2. Duties of marshal prescribed.

Be it ordained by the city council of the city of Pekin:

SEC. 1. That there shall be annually appointed by the city council a city marshal, to serve for one year, or until his successor is qualified, who shall, before he enters upon the duties of his office, execute a bond to the city with security in the penal sum of five hundred dollars, to be approved by the city council, with conditions that he will faithfully discharge the several trusts and duties of his office as prescribed in this or any other ordinance, and be subject to removal from office for a breach of duty, by a vote of a majority of the council.

§ 2. It shall be the duty of the city marshal to execute all warrants, writs or summonses issued by the police magistrate; to suppress all breaches of the peace, all riots and disorderly conduct; apprehend all persons who may be violating any ordinance of the city, or any law of the state within the limits of the city, and convey them before the police magistrate, then and there to answer such charges and complaint as may be preferred against them, and generally to do and perform such other duties as may, from time to time, be imposed upon him; and he is hereby required to convey any person who shall be violating any ordinance of said city, to the city or county prison, and keep them there confined until the session of the police magistrate's court on the morning following such arrest, when he shall return them before the police magistrate, there to stand by and abide the order of the court in the premises. He shall also attend the sessions of the city council and the police magistrate's court, and perform such duties as may, from time to time, be required of him.

ASSISTANT MARSHALS.

AN ORDINANCE in relation to the appointment of assistant marshals, and the duties of the city marshal and assistant marshals.

- SEC. 1. Assistant marshals, how appointed.
2. Duties and powers.
3. Marshal and assistants, how to make arrests.
4. To wear metal star.
5. To qualify and give bond.

Be it ordained by the city council of the city of Pekin :

SEC. 1. That the city council shall, from time to time, appoint by resolution such assistant marshals for said city as they may deem necessary, at a monthly salary and for a period of time to be fixed in such resolution.

§ 2. That when appointed, the duties of the assistant marshals and their powers for preserving good order in the city of Pekin, and the arrest of persons for violating any ordinance of said city, and calling for aid upon any persons to arrest offenders, shall be the same as those of the city marshal; and the penalty for resisting, hindering or obstructing the assistant marshal in the exercise of his duties, shall be the same as that imposed for resisting, hindering or obstructing the regular city marshal.

§ 3. It is hereby made the duty of the city marshal and the assistant marshals to arrest, without warrant, upon information, all persons whom they may have reasonable ground to believe have, shortly preceding such information, been guilty of a breach of the peace, or of threats to break the peace within the limits of the city of Pekin; and, if such arrest be made in the day time, to instantly convey any such person or persons before the police magistrate of the city, when, if complaint be made, he or they shall be forthwith tried; and if no complaint be made, he or they shall be released from custody; or, if the arrest be made in the night time, they shall act in accordance with the provisions of the twenty-seventh section of an ordinance, entitled "An ordinance in relation to certain misdemeanors, nuisances and police in the city of Pekin."

§ 4. Every assistant marshal appointed by virtue of this ordinance, shall wear upon his breast a metal star, with the words "Assistant Marshal" engraved thereon.

§ 5. That the assistant marshals, when appointed, shall be qualified, and give bond in the same manner, and for the same amount,

as the city marshal is now by ordinance required to qualify and enter into bond.

STREET COMMISSIONER.

AN ORDINANCE providing for the appointment of street commissioner, and prescribing his duties.

SEC. 1. Appointment of street commissioner.

2. Duties prescribed, and neglect or refusal to work on streets and alleys; fine, how assessed.

Be it ordained by the city council of the city of Pekin:

SEC. 1. That there be appointed by the council a street commissioner, to serve for one year or until his successor is qualified, who shall, before he enters upon the duties of his office, execute a bond to the city with security, in the penalty of five hundred dollars, to be approved by the council, that he will faithfully discharge the several trusts and duties of his office, as prescribed in this or any other ordinance, and be subject to removal from office for a breach of duty, by a majority of the council.

§ 2. It shall be the duty of the street commissioner to keep the wharf, streets and alleys in good repair, and free from all obstructions of every kind and character; observe the proper grade in making his repairs; see that the bridges are kept in order and the gullies and sidewalks clean and unobstructed; remove all nuisances of every kind, either in the street, alley, or on any lot of land in said city, or within half a mile of the limits thereof; he shall also collect all street tax assessed on the inhabitants of said city, and cause the same to be expended or worked out, together with any other money or labor given him in charge to be expended or worked on said streets and alleys. And he shall work in such manner, and in such time and place as the city council shall, from time to time, require of him; he shall also be required to give three days' notice to every able bodied man over the age of twenty-one and under fifty years of age, who shall reside within the limits of the city, of the time and place he requires him to work on said street and alley; and every person so notified shall be and is hereby required to work at the time and place so notified, on said streets and alleys, faithfully, for one day of ten hours, or pay the street commissioner the sum of one dollar in cash, which shall be in full for all street taxes in said city

or one year; but should he attend and neglect or refuse to do faithful labor as required, he shall be immediately discharged by the street commissioner, and shall pay the sum of one dollar in cash, as aforesaid, to the street commissioner. Any person who shall neglect or refuse to work or pay after being so notified verbally, shall be fined and forfeit and pay to the said city any sum not exceeding three dollars, which may be recovered by an action of debt or otherwise; and the oath of the street commissioner shall be evidence to prove notice or other things relating to any case or action for the penalty for neglecting or refusing to do street labor.

WOOD MEASURERS.

AN ORDINANCE in relation to wood measurers for the city of Pekin, and defining their duties.

- SEC. 1. Persons not permitted to buy and sell wood without measuring the same.
2. Duty of measurers.
 3. Penalty for selling or offering to sell without measurement.
 4. Penalty for purchasing without measurement.
 5. Penalty for falsifying measurement.
 6. Penalty for not measuring when requested.

Be it ordained by the city council of the city of Pekin:

SEC. 1. That hereafter it shall not be lawful, within the corporate limits of said city, for any person or persons to buy, sell or dispose of any load or loads of wood without first having the same measured, and obtaining from the wood measurer a certificate of the amount contained therein.

§ 2. It shall be the duty of the measurer of wood to measure every load of wood brought to said city for sale, or offered for sale in said city, and give a certificate of the amount contained therein in parts of a cord and feet, (each cord to be divided into eight parts,) to the person offering the same for sale, for which certificate he shall receive ten cents fee, and to enter in a book provided by him for that purpose, the name of the owner or person for whom the same was measured, the date, and the quantity contained, and the amount of fees received therefor, and to make quarterly reports to the city council, and oftener if required by said council, showing the number of loads, cords and parts of cords of wood measured, and the amount

of fees received by him; and also to pay over to the treasurer of the city of Pekin whatever may be due after deducting one-half of the amount of the net proceeds as compensation, and take his duplicate receipts therefor, one of which he shall deliver to the city council at the time of making his said report.

§ 3. That every person who shall sell or offer to sell any wood to be consumed in the city of Pekin, shall cause the same to be measured and obtain a certificate of the net measurement thereof from the measurer of wood of the city of Pekin; and any persons attempting to sell or selling any wood to be used in the city of Pekin as aforesaid, without having obtained the aforesaid certificate, shall forfeit and pay to the city of Pekin the sum of five dollars for each and every offense, or each and every load so sold, bought, disposed of or purchased, and costs of suit, to be collected as other fines are collected for violation of city ordinances.

§ 4. If any person or persons shall purchase any wood to be consumed in the city of Pekin without the same having been measured by the city measurer, and a certificate thereof given as aforesaid, he, she or they shall forfeit and pay to the city of Pekin the sum of five dollars for each and every offense or load so purchased, to be recovered as aforesaid, with costs of suit.

§ 5. That if any person shall have wood measured as aforesaid, and shall sell or dispose of a portion thereof, or shall diminish the amount thereof, or shall in any manner falsify the certificate of the measurer, or permit the same to be done with intent to deceive or defraud any person or persons, he shall forfeit and pay to the city of Pekin the sum of not less than ten dollars nor more than one hundred dollars, to be recovered as other penalties, with costs of prosecution.

§ 6. If any measurer shall neglect or refuse to measure any load or quantity of wood, when required so to do between the hours of sunrise and sunset in any week day, upon the tender of his regular fees for the same, he shall forfeit and pay to the city of Pekin the sum of ten dollars and costs of suit, to be recovered as other penalties, and moreover be removed by a majority of the city council from said office, and be liable to the party injured for the injury sustained by him.

HAY AND COAL.

AN ORDINANCE regulating the weighing of hay and stone coal in the city of Pekin.

- SEC. 1. Persons not permitted to buy or sell hay or coal without weighing the same.
2. Weight of hay and coal established.
 3. Price of weighing hay and coal.
 4. Weighmaster to keep book and perform other duties.
 5. Weighmaster to make monthly report, pay over money; compensation; penalty.
 6. Weighmaster to weigh all wagons and sleds.
 7. Penalty for buying hay and coal without having the same weighed.
 8. May weigh other articles; fee for the same.
 9. Weighmaster and marshal to enforce this ordinance; may be witnesses.

Be it ordained by the city council of the city of Pekin :

SEC. 1. That hereafter it shall not be lawful, within the corporate limits, for any person or persons to buy, sell or dispose of any load or loads of hay or stone coal, without first having the same weighed upon the city scales, and obtaining from the weighmaster of the scales, upon which the same may be weighed a certificate of the weight of such load of hay or coal.

§ 2. The weight of a ton of hay shall be twenty hundred net, and the weight of a bushel of coal shall be eighty pounds.

§ 3. The price for weighing a load of hay shall be ten cents, and the price of a load of coal shall be ten cents, which shall be paid to the weighmaster before he shall give the certificate required by the first section of this ordinance.

§ 4. It shall be the duty of the weighmaster to keep a book, in which he shall enter the number of loads of hay and coal, and all other articles weighed by him, and give, under his hand, a certificate stating the name of the owner or agent of the article weighed, the weight of the same, and the day upon which the same was weighed, and also the number of pounds of hay and the number of bushels of coal contained in such load; and shall preserve in a book a duplicate of said certificate for the use of the city.

§ 5. It shall be the duty of the weighmaster to make out and return, at each regular quarterly meeting of the city council, and oftener, if required by said council, an aggregate amount of the receipts of the scales; and shall also exhibit to said board the receipt of the city treasurer for whatever sum may be due the city after deducting one-half of the net proceeds as a compensation; and

any weighmaster neglecting or refusing to comply with the provisions of this section, may be proceeded against on his bond, and removed from office at the discretion of the city council.

§ 6. It shall be the duty of the weighmaster to weigh all wagons and sleds engaged in hauling hay or coal, and shall mark the weight of the wagon on the bed and hind axletree, and shall mark sleds on the bed and fore part of the runners; and they shall, from time to time, if any change has been made in any wagon or sled after being once weighed and marked as aforesaid, or if the said weighmaster shall, at any time, suspect any change has been made, re-weigh and re-mark such wagon or sled.

§ 7. If any person or persons shall buy, sell, dispose of or purchase any load or loads of hay or stone coal, without first having the same weighed upon the city scales, and procuring a certificate as aforesaid, he or they so offending shall, for each and every offense, or for each and every load so sold, bought, disposed of or purchased, forfeit and pay, for the use of the city, the sum of five dollars, to be collected as other fines are collected for violations of city ordinances.

§ 8. Said weighmaster may permit any person or persons to weigh any wagon-load other than hay or coal, and shall charge such person for weighing such load the sum of ten cents; and may weigh any other article or thing for any person or persons, and shall charge him or them, for weighing the same, the sum of ten cents.

§ 9. It is hereby made the duty of the city weighmaster and the city marshal to exercise due diligence in seeing that all hay and coal brought within the limits of the city shall be weighed upon the city scales; and when the weighmaster has reason to believe or suspect that any hay or coal has been sold, purchased or disposed of, which has not been so weighed, he shall enter a complaint before the police magistrate, who shall proceed against the person offending as in other cases of violation of the city ordinances.

HEALTH.

AN ORDINANCE to preserve the health of the city of Pekin, and to prevent nuisances therein.

SEC. 1. City marshal to cause all nuisances to be removed.

2. City marshal to ascertain the owners of dead animals, and require them to be removed.

3. Penalty for discharging filth in the river.

4. Penalty for offering diseased meats for sale.

5. Prohibiting the erection of slaughter-houses and other nuisances without permission.
6. Distilling without permission; penalty.
7. Not to obstruct or injure public grounds, landings, &c., under penalty.
8. Cellars to be kept clean and pure.
9. Lots to be kept clear of water and other offensive things.
10. Cellars to be kept aired and limed.
11. Penalty for not abating nuisances when required by notice; lots may be sold.
12. City marshal to make deeds of lots sold.
13. Duty of city marshal to enforce ordinance.
14. City marshal to report to city council.

Be it ordained by the city council of the city of Pekin:

SEC. 1. It shall be the duty of the city marshal to cause to be removed from within the limits of the city of Pekin, all offensive substances and nuisances, which shall have a tendency to endanger the health of the citizens.

§ 2. It shall be the duty of the said city marshal to ascertain the owner or owners of any domestic animal that may have died within the limits of said city, and to notify such owner or owners immediately to remove the same without the limits of the corporation; and should the owner or owners neglect to remove the same within two hours after such notice, he, she or they so offending, shall be fined, upon conviction, in a sum not exceeding five dollars, and it shall be the duty of the city marshal to cause the same to be removed at the expense of the owner or owners, which expense shall be sued for by him, and recovered as fines under this ordinance are recovered.

§ 3. Any person or persons who shall discharge or cause to be discharged into the Illinois river, within the corporate limits of the city, any dead animal or animals, offensive substances or nuisances, which might affect the health of the citizens, such person or persons so offending, upon conviction, shall be fined in a sum not exceeding ten dollars for each and every offense, and it shall be the duty of the city marshal to cause the same to be removed immediately if practicable, and charge the expense to the offender or offenders, and sue for and collect the same in the same manner as other fines under this ordinance.

§ 4. Any person or persons who shall offer for sale, within the limits of the incorporation aforesaid, any blown, stuffed, milk-sick or unsound meats or articles of provision, or measly pork, or shall sell or expose to sale, within the limits aforesaid, any sick or diseased live animal, usually made use of for food, for the purpose and design

that the same shall be used for food, knowing or believing the same may be sick or diseased, such person or persons so offending, upon conviction, shall be fined in a sum not exceeding fifty dollars for each and every offense.

§ 5. Any person or persons who shall use any pen, house, building, shed or other place within the limits of this incorporation, for the purpose of slaughtering, and who shall slaughter any neat cattle, hog or sheep therein, without permission of the city council of said city, such person or persons so offending shall, upon conviction, be fined in a sum not exceeding ten dollars for each and every offense; and any person or persons who shall erect or occupy any building or buildings within the limits of the corporation of the city of Pekin, as an oil mill, a powder house, a soap or candle manufactory, without express permission and authority of the city council of said city, shall, for every such offense, pay a fine not exceeding ten dollars for each and every day that any building or buildings as aforesaid shall be used as an oil mill, a powder house, or soap or candle manufactory, without having received permission and authority as above required; and all persons obtaining permission, as aforesaid, from the city council, shall enter into bonds to the city with good security, in such sum as the city council may fix, that they will keep their establishment clean and free from all offensive substances.

§ 6. Any person or persons who shall use or occupy any building or buildings within the limits of the city of Pekin, as a distillery for the manufacture of ardent spirits, a brewery, or tannery, without having express permission for that purpose from the city council of said city, shall, for each and every offense, pay a fine not exceeding five dollars for each and every day the aforesaid distillery, brewery or tannery shall be so used without receiving permission as aforesaid.

§ 7. If any person or persons shall obstruct or injure, or cause to be obstructed or injured, any public ground, landing, avenue, lane or alley in the city of Pekin, or shall erect any offensive trade, manufacture or business, or shall continue the same after it has been erected or established, or shall, in any wise, pollute or obstruct any water course, spring or pond, or common sewer within the limits of the said city of Pekin, upon conviction, shall be fined not exceeding one hundred dollars; and every such nuisance shall, by order of the city council of said city, be removed or abated by the city marshal, and the expenses of removing or abating the same shall be sued for

by the city marshal, and recovered as other fines are recovered under this ordinance.

§ 8. That cellars or ground beneath each house within the city shall be kept free from water, or putrifying or vegetable matter, and all noxious things, under the penalty of ten dollars for each twenty-four hours the nuisance continues, to be recovered from the owner or occupier.

§ 9. That each lot or part of lot of ground within the city shall be kept free and clear of water, or putrifying vegetable or animal matter, and other nauseous or offensive things, under the penalty of ten dollars for each twenty-four hours such nuisance remains, to be recovered from the owner or occupier.

§ 10. That each cellar within the city shall be kept well aired and inoffensive, and, when ordered by the city council, well sprinkled with lime in the months of June, July, August and September, under the penalty of ten dollars for each twenty-four hours such cellar shall be and continue a nuisance, to be recovered from the owner or occupier; and that each privy within the city shall be kept clean and inoffensive at all times, under the penalty of ten dollars, to be recovered by the owner or occupier of the premises to which the same may be attached.

§ 11. That if the owner or occupier of any such lot or part of lot, or ground, or other place, shall neglect or fail to abate such nuisance by filling up such lot, or cleansing or filling up such cellar or other place, for the space of ten days after notice given to him, her or them by the city marshal, or by publishing such notice in some public newspaper printed in the city of Pekin, (in case the said owner shall be a non-resident of said city,) for the space of four weeks, then, in that case, it shall be and is hereby made the duty of the city marshal to proceed and fill up said lot, or cleanse or abate such nuisance, at the expense of the city of Pekin, and to ascertain the cost thereof, and assess the amount of such expense, together with reasonable charges for attending to the same, as a special tax upon such lot or part of lot whereon such nuisance existed; and if the owner or owners thereof, after having had thirty days' notice of the amount of such tax given to him, her or them, and on refusal to pay the same, then it is hereby made the duty of the said city marshal to advertise the said lot or part of lot so taxed as aforesaid, in some public paper printed in the city of Pekin, for the space of four

weeks, for sale, to satisfy the said tax and costs; and at the time and place appointed in such notice, to sell such lot or part of lot so taxed as aforesaid, or so much thereof as will satisfy the same, to the person or persons offering to pay such tax and costs for the least quantity of such lot or part of lot, and to give to the purchaser or purchasers thereof a certificate of such purchase and sale; *provided*, if the owner or owners of such lot or part of lot shall, within two years from the day of such sale, pay to the city marshal, for the use of the purchaser or purchasers thereof, the amount of such bid, together with one hundred per cent. thereon, and the amount of all taxes and assessments made upon the same subsequent to such sale; *provided, further*, that if said lot or part of lot so sold as aforesaid belongs to a minor or minors at the time the same is sold as aforesaid, then the said minors shall have one year from the time of his, her or their arrival at the age of twenty-one years, to redeem the same by the payment of the amount for which said lot or part of said lot was sold, and one hundred per cent. thereon, together with all taxes and assessments had or made upon such lot or part of lot, from the time of such sale, and ten per cent. interest upon the amount of such payment per annum, to the time of such redemption.

§ 12. If the same shall not be redeemed as aforesaid, within two years from the time of such sale, then the city marshal, or his successor in office, shall make and deliver to said purchaser, or to his heirs or assigns, a deed for such lot according to such certificate of purchase, with a proviso that the same may be redeemed according to law, which shall vest the purchaser thereof of all the right, title and estate of the owner thereof in fee simple; *provided*, that the city marshal shall not make any deed, under this ordinance, unless the purchaser or his heirs or assigns shall have complied with all the provisions of the constitution in relation to purchases under tax sales.

§ 13. That it shall be the duty of the city marshal, upon his knowledge or on the information of others, to cause prosecutions to be immediately instituted for offenses against this ordinance before the police magistrate, or any court having competent jurisdiction; and upon judgment being rendered against the defendant or defendants, execution shall issue forthwith thereon for the fine and costs; *provided*, that when the offenders are non-residents of the state, suit by attachment may be instituted for such fine, as in case of ordinary

debt, by the said city marshal, in the name of the city of Pekin, before any court having jurisdiction of the same.

§ 14. When any nuisance shall be abated by the city marshal under the provisions of this ordinance, he shall forthwith report the same to the city council, with the amount of cost and damages thereon; and he shall also, upon all sales under this ordinance, report the same to the city council, and shall keep a record thereof himself, showing the acts done by him in the premises.

PROVIDE AGAINST CONTAGIOUS DISEASES.

AN ORDINANCE to provide against contagious diseases.

- SEC. 1. Persons with contagious or infectious diseases to keep confined.
2. To prevent persons having communication with diseased persons.
3. Persons not to leave their place of abode.
4. Persons having small-pox may be removed beyond the city limits.

Be it ordained by the city council of the city of Pekin:

SEC. 1. That all persons having small-pox, varioloid, or other contagious or infectious diseases in the city, are hereby required to keep closely confined within their respective dwellings or place of abode; and the city marshal shall cause suitable notices, with the character of the disease printed or written in large letters thereon, to be posted up in the most conspicuous place on or near such building or dwelling, or place of abode in which such contagious or infectious disease exists, and require of the occupant thereof to maintain such notice thereof and thereon until, in the opinion of the city physician, they may be safely discontinued.

§ 2. It shall be the duty of every owner or occupant of any house or building where any person is or may be who has any disease believed to be contagious, to prevent any and all persons, except the attending and consulting physician and nurse or nurses attending such person or persons having such disease, from having communication with such diseased person or persons in any way or manner whatever.

§ 3. No person shall leave his or her place of abode and be found going about the city after the small-pox or varioloid eruption has made its appearance upon him or her, and no person shall be allowed to go about the city, or visit any house, or dwelling, or other building in said city, who has had communication with any person having

the small-pox or varioloid, except the attending or consulting physician.

§ 4. Any person or persons having the small-pox or varioloid, may be removed beyond the city limits at the discretion of the city council and by their direction; and any person failing to comply with the requirements of this ordinance, or who shall violate any of the provisions of this ordinance, shall forfeit and pay a fine of not less than ten nor more than one hundred dollars.

FERRY RATES.

AN ORDINANCE to establish the rates of ferriage across the Illinois river, at the city of Pekin.

SEC. 1. Ferry rates.

2. When double ferriage.

Be it ordained by the city council of the city of Pekin:

SEC. 1. That every person or persons crossing the Illinois river at the city of Pekin, shall be charged the following rates of ferriage:

For each wagon drawn by four horses or oxen, forty cents each way.

For each wagon drawn by two horses, twenty cents each way, (except when hauling coal, pork, grain or wood; then they shall be charged twelve and a half cents each way for two horse wagons, and for four horse wagons twenty-five cents each way.)

For each wagon drawn by one horse, fifteen cents.

For each gig or buggy drawn by one horse, fifteen cents.

For each carriage or buggy drawn by two horses, twenty-five cents.

For each man and horse, ten cents.

For each man, five cents.

For each led horse, five cents.

For each head loose cattle, (calves excepted,) five cents.

§ 2. That every person or persons crossing the Illinois river at the ferry in the city of Pekin, shall be charged double of the rates of ferriage mentioned in section first, when the river so overflows the bottom on the opposite side of the river that it will be necessary to ferry to the bluff.

WHARF BOATS AND PUBLIC WHARVES.

AN ORDINANCE in relation to wharf boats, public wharves and landings.

- SEC. 1. Public wharves and landings, how controlled and regulated.
2. No person to keep a wharf boat without special license.
3. Keeping wharf boat without license; penalty.
4. Execution to issue unless fine and costs are paid.
5. Rights acquired, not to affect.

Be it ordained by the city council of the city of Pekin:

SEC. 1. That all the ground or real estate west of the west side of Front street, lying between the north side of Margaret street and the south side of Elizabeth street, owned by the city of Pekin, to the lowest water mark, and all the ground between Water street and said Illinois river, are hereby declared to be public wharves and landings, to be controlled and regulated in such manner, with such rights, and under such penalties as the city council shall, from time to time, think expedient to enact.

§ 2. *Be it further ordained*, That no person or persons shall hereafter, without special license first had and obtained from the city council, have, keep or maintain, on his own account, or for the benefit of other persons, as agent, any wharf or other boat, or craft of any description, in the Illinois river in front of Water street, or so much thereof as lies between the north side of Margaret street and the south side of Elizabeth street aforesaid, for the purpose of vending, receiving, storing and forwarding any goods, wares or merchandise, or produce, or any article whatever, in front of the public wharves and landings aforesaid, in said city of Pekin; *provided*, however, that this section shall not be construed to extend to steamboats, canal boats, or other craft lying at said public wharves or landings for the bona fide purpose of receiving or discharging freight, goods, wares, merchandise or produce, preparatory to their proceeding on their voyage on said Illinois river.

§ 3. That if any person or persons hereafter, for the purpose of vending, receiving, storing or forwarding freight, goods, wares, merchandise, produce, or any other article whatsoever, shall have, keep, occupy, use or maintain any wharf boat or other craft at or in front of the said public wharves and landings aforesaid, without special license as aforesaid, whether on his or their own behalf, or as agent or agents of others, such wharf boat or other craft shall be considered and is hereby declared a public nuisance; and the person or persons

so keeping, having, occupying, maintaining or using the same, shall be fined the sum of one hundred dollars for each and every day so offending; which said fines shall be collected by an action of debt or otherwise, on complaint before the police magistrate of said city, as in other cases of breach of an ordinance of said city council of said city of Pekin.

§ 4. *And it is further ordained,* That if the person or persons convicted of a breach of this ordinance, shall not, within three days after the said conviction, pay and satisfy said fine and costs of suit, execution shall issue instanter, returnable in twenty days; and the marshal of the city shall levy said fine and costs on either of said boats, or any property of the person or persons convicted as aforesaid, liable to execution, and shall duly advertise and sell the same, as in other actions of debt, as constables do or are required to do, unless, before the day of sale, said fine and costs and cumulative costs shall be paid; and if said fine and costs shall be paid before the day of sale as aforesaid, then it is further ordered, that if said wharf boat or other craft shall remain at or in front of the public landing and wharves as aforesaid, and if said fine and costs and cumulative costs shall not be paid, and said wharf boat or other craft shall be sold to satisfy said fine and costs, and the purchaser or purchasers thereof shall suffer said boat or other craft to lie at or in front of said public wharves or landings, then the city marshal of the city is hereby authorized and required, with or without process, to remove said wharf boat or other craft one-half a mile beyond the limits of said city of Pekin; and the suffering the said wharf boat or other craft to remain three days after payment of fine and costs as aforesaid, after purchase as aforesaid, the person or persons convicted of said breach of ordinance, if said fine and costs shall be paid, or if said fine and costs shall not be paid, and said wharf boat or other craft shall be sold, the purchaser thereof shall be considered and is hereby declared guilty of a breach of this ordinance, and liable therefor to all the penalties aforesaid.

§ 5. *And it is further ordained,* That this ordinance shall be construed to be amendatory of all ordinances herein before passed relative to wharf boats, public wharves, public landings, and shall not affect or weaken rights acquired, or liabilities incurred, under and by virtue of any of the ordinances of the city.

PUBLIC LANDINGS.

AN ORDINANCE establishing and regulating the public landings in the city of Pekin.

SEC. 1. Public landings defined.

2. Steamboats only to land at certain places ; penalty for landing other boats.
3. Harbor master to assign places for boats ; penalty for refusal to obey.
4. Harbor master to take charge of certain boats.
5. Harbor master to retain boats until claims are paid ; may sell the same.
6. Proceeds of sale, how disposed of.
7. Proceedings when articles are left on the landing.
8. Lien created on boats, &c., for charges.
9. Shippers, certain privilege granted to,
10. City to retain certain per centage on sales.
11. Rates of wharfage fixed.
12. Harbor master to keep a book and pay over money, &c.
13. Penalty for injuring or obstructing landing.
14. Penalty for refusal to pay wharfage.
15. Provisions not to extend to certain licensed boats.
16. Wharf boats may be licensed, and how and on what conditions.
17. Permission to repair boats, how granted and by whom.

Be it ordained by the city council of the city of Pekin :

SEC. 1. That all that space of ground on the river, between Margaret and Elizabeth street, shall be and remain permanent steamboat landing.

§ 2. That no raft or boat, excepting steamboats and their barges and the ferry boat, shall land or occupy any part of the public landing between Margaret and Elizabeth streets, in said city ; and should any such boat or raft so land, the person in charge thereof shall, immediately on notice so to do by the harbor master, remove the same ; and on the failure so to do, every such person, on conviction thereof, shall be fined the sum of ten dollars, and a further sum of ten dollars for each and every day that he shall suffer the same to remain at the said place after his conviction.

§ 3. That the harbor master, whenever it may be necessary, shall assign places for all boats and rafts, giving preference to steamboats in order of their arrival, and every person in charge thereof shall cause the same to be removed to the places assigned ; and every person failing so to do on being notified by the harbor master, shall forfeit and pay the sum of ten dollars for the use of said city ; *provided*, that no boat or raft shall be compelled to leave the place assigned to or occupied by it, to give place to a steamboat, while such boat or raft is actually employed in discharging or receiving a

cargo. If any boat is not removed immediately after such conviction, it shall be the duty of the harbor master to remove the same at the expense of the owner thereof.

§ 4. If no master, owner or agent shall appear to take charge of any boat or raft lying at any of the public landings, the harbor master shall take charge thereof; and if, in his opinion, the public convenience or the safety of the boat or raft require it, he shall cause the same to be removed, as he shall deem advisable, at the expense of the owner.

§ 5. That all boats and rafts shall be retained in the custody of the harbor master until all fines, forfeitures and charges mentioned in the preceding section, and all charges for wharfage, shall be paid by the owner or the person having charge thereof; and if said fines, forfeitures and charges are not paid within twenty-four hours, the harbor master shall sell every such boat or raft, at public auction, to the highest and best bidder for cash, first having given at least ten days' previous notice of the time and place of said sale by publishing the same in such newspaper in said city as the city council shall direct, and posting up three copies thereof in three of the most public places in said city.

§ 6. That the proceeds of every such sale, after deducting such fines, forfeitures, costs, charges and costs of sale, shall be paid by the harbor master into the city treasury; and such proceeds, after deductions hereinafter mentioned, shall be paid to any person authorized to receive the same, by the treasurer, on the presentment of an order from the city council, signed by the mayor and countersigned by the city clerk; *provided*, that the same shall be claimed in twelve months after such sale.

§ 7. That no person, without permission of the harbor master, shall keep or cause to remain at the public landing in said city, any timber, wood, lumber, brick, sand, or stone coal, or any other article or thing whatever, so as to obstruct or encumber such landing for a longer time than twenty-four hours, and the same shall be liable to be removed at any time when necessary for the public good, upon the order of the harbor master, if the owner or agent of the same can be found in the city; and upon refusal or neglect of the owner of any such articles or commodities as contemplated in this section, to remove the same by the time specified, or upon the order aforesaid, it shall be and is hereby made the duty of the harbor master,

after the expiration of the said twenty-four hours, or after notice of the order of said harbor master, to have the same removed to some suitable place, where it may be safely kept until all fines, forfeitures, fees and charges are paid; *provided*, if any property so taken be not paid for or released within ten days after its removal by the said officer, he shall, after giving ten days' notice thereof by posting up notices in three of the most public places in said city, proceed to sell the same at public auction to the highest and best bidder for cash, and after deducting a reasonable compensation, which is hereby allowed to him, and all necessary expenditures in removing, keeping and selling, together with ten per centum commission on the amount of sale, pay the balance of the proceeds of such sale into the city treasury within ten days thereafter; and the said treasurer shall pay the same out in the manner provided for in the sixth section of this ordinance.

§ 8. That for all proper charges, fines, forfeitures, costs and expenses incurred by the harbor master in removing and taking care of any boat, raft or other property by virtue of this ordinance, a lien is hereby created against any such boat, raft or other property; and no alienation or transfer of the same shall affect the said lien.

§ 9. That this ordinance shall not be so construed as to prohibit or prevent the landing or deposit for the shipment of any goods, merchandise, lumber, or any other article, product or material of trade or business; but no person or persons shall occupy or encumber any part of said landing with any such articles or materials for a longer time than is necessary for the purpose of shipment, under the penalty heretofore provided in this ordinance.

§ 10. That the city, from the net proceeds of all sales, to be paid out by the treasurer under this ordinance, shall retain three per cent. when such proceeds are paid out or refunded to the person entitled thereto.

§ 11. That the following rates of wharfage shall be levied and collected by the harbor master for the use of the city, to wit:

1. From the master or person in charge of every steamboat which may land at the public landing, the sum of one dollar for each and every landing and remaining twenty-four hours or less, and one dollar for every succeeding twenty-four hours or less the same may remain.

2. From the owner or person in charge of any keel boat, canal

boat, flat boat, barge, scow, flat, or other craft which may land at the public landing, the sum of one dollar for each and every landing and remaining forty-eight hours or less, and one dollar for every succeeding forty-eight hours or less the same may remain.

3. From the owner or person in charge of every raft landing, containing twenty-five thousand feet or less, the sum of two dollars for each and every landing and remaining forty-eight hours or less, and one dollar for every succeeding forty-eight hours or less the same may remain.

§ 12. That the harbor master shall enter, in a book kept for that purpose, all money received by virtue of this ordinance; the name of persons or boats from whom the same is received; the specific amount received from each, and for what so received; and shall account to the city council, at their stated quarterly meetings, for the same; the amount accruing to the city shall immediately be paid into the city treasury by the harbor master, and treasurer's receipt therefor be filled with the city clerk; and the said harbor master shall, on or before the first day of December in each year, make out and hand over to the clerk of the city a full and complete report of his doings for the previous year.

§ 13. That if any person shall deface or in any manner injure any post, ring or other appurtenance to the public landing, or do or cause to be done any act tending in any manner to obstruct or injure the public landing, by depositing in the water or on the shore any manure, filth, rubbish, earth, or other thing, he shall forfeit and pay a sum not less than five dollars for every such offense, and pay all expenses of repairing or replacing the thing injured, and of removing all obstructions deposited as aforesaid.

§ 14. If the master, owner, or person in charge of any steamboat, shall land his boat at the public landing in said city, and refuse, on demand made by the harbor master, to pay the wharfage levied by this ordinance, he shall, on conviction, forfeit and pay the sum of ten dollars, and the further sum of ten dollars for every hour his boat shall be at said landing after his said first conviction, and until said wharfage is paid; and if the owner or person in charge of any other boat or raft mentioned in this ordinance, shall land the same at said landing, and refuse, on demand made by the harbor master, to pay the wharfage levied by this ordinance, he shall, on conviction, forfeit and pay the sum of five dollars, and the further

sum of five dollars for each and every hour such boat or raft shall remain at the public landing after his said first conviction, and until the wharfage is paid.

§ 15. That the provisions of this ordinance in relation to wharfage shall not extend to canal and other boats licensed by the city council to sell lumber and other merchandise; *provided*, such boats do not occupy the landing over ten days under any such license.

§ 16. Any person wishing to keep a wharf boat at the public landing shall apply for permission in writing to the council, designating the place at which he wishes to keep such wharf boat, and the city council may grant a license therefor for one year, upon such terms and subject to such regulations and upon the payment of such sums of money as they may deem expedient, said license to specify the place to be occupied by such wharf boat, and to be issued and paid for as other licenses granted by said city council.

FIRE DEPARTMENT.

AN ORDINANCE to establish and regulate the fire department of the city of Pekin.

SEC. 1. Fire department, what to consist of.

2. Officers elected annually; by whom elected; qualifications of voters; election, how conducted; returns; inspectors; tie vote; contested election; duty of city clerk.
3. Chief engineer, powers and duties of; to make report to city council.
4. Assistant engineer, duty of.
5. Members to be divided into companies; duties of company.
6. Duty of company at fires; penalty for failure.
7. Semi-annual report.
8. Public parades.
9. Companies now organized.

Be it ordained by the city council of the city of Pekin:

SEC. 1. That there shall be a fire department in said city of Pekin, which shall consist of a chief engineer, assistant engineer, and such fire engine men, hose men, hook and ladder men, axe and saw men, as shall compose the several companies organized for the charge of and the working of their respective apparatus.

§ 2. The chief engineer and the assistant engineer shall be elected annually by the members of the fire department, the first election to be held on the first Monday of October, A. D. 1862, and the succeeding elections on the same day of each year thereafter; and at

such elections all members of the different companies composing the fire department, in good and regular standing, shall be entitled to vote. But no one shall vote at such election who shall not have been a member of the company to which he shall, at the time of the election, belong, for three months previous to the election. The election for said officers shall be by ballot, as in the manner in which city officers are elected, and shall be held at such place as the city council may, from time to time, direct; and the judges and inspectors of such election shall be appointed by the city council. If at any such election the right of any person tendering his vote shall be challenged, such person shall be required to prove, by the exhibition of the books and other records of the company to which he claims to belong, and by his own oath in addition, that he is duly qualified in accordance with the provisions of this ordinance to vote at such election; and no unchallenged vote shall be received unless the foreman or other chief officer of the company shall affirm that the person tendering the vote is a duly qualified member of the company. The person receiving, at such election, the greatest number of votes for each of said offices, shall be declared duly elected, if the election shall not be set aside. The inspectors shall return to the city council, at their next regular meeting after such election, the poll-books of such election, with their certificate duly signed by them, or a majority of them; and unless such election shall be set aside, the person receiving the highest number of votes for each of said offices, shall be qualified (without bond) as other city officers are qualified. The inspectors of said election shall be qualified as is provided in an ordinance, entitled "An ordinance regulating the mode of holding general and special elections in the city of Pekin," and shall have the powers in said ordinance provided, and be in general governed by the provisions of said ordinance so far as applicable, especially in the manner of returning the poll books. Should there be a tie for either or both of said officers, the city council may appoint the same from among the candidates for each office receiving an equal number of votes. Should either of the candidates at such election be dissatisfied with the result and wish to contest the same, he shall give notice of his intention to do so at the meeting of the council to which the inspectors make their return, when the city council may hear testimony upon the fairness of the election at that or an adjourned meeting, and if satisfied that the election has

been unfairly conducted, may order a new election. The pay of inspectors and clerks at such election shall be the same as in other elections under the city ordinances. The clerk of the city shall deliver to the said chief engineer and assistant engineer a certificate of election as soon as practicable after their election.

§ 3. In case of fire in the city limits the chief engineer shall have sole and absolute control over all members of the fire department, and over all operatives necessary in extinguishing fires, or in preventing the spread thereof, except that no building shall be torn down, blown up or otherwise destroyed at a fire unless by the authority of the mayor of the city, if within the city limits at the time. And the chief engineer is hereby empowered, in case of fire, to command the aid of all citizens to extinguish or prevent the extension of the same; and any citizen who, upon being so commanded, shall refuse to render such aid, shall, unless in case of bodily disability, upon conviction thereof, be fined in any sum not exceeding one hundred dollars, nor less than one dollar. It shall be the duty of the chief engineer to report to the city council semi-annually, at their regular meetings in May and November of each year, the condition of the apparatus of the different fire companies, and also of the buildings in which the same may be kept; and also to recommend such alterations and improvements in said apparatus and buildings as he may, from time to time, deem expedient; and also, to see that the different companies of the department keep their apparatus in order for instant use; and, upon failure of the companies so to do, the chief engineer shall see to the same being done, and report the same in his semi-annual reports aforesaid.

§ 4. The assistant engineer shall assist the chief engineer, and obey his orders for the extinguishing and preventing the spread of fires, and, in the absence of the chief engineer, is hereby clothed with all his powers, and will discharge all his duties.

§ 5. The members of the fire department will be divided into companies, the names of which will be designated by themselves, except that no two shall be alike; and each company shall have the sole charge of the engine or other apparatus committed to its care by the city, except as subordinate to the chief and assistant engineers, and be responsible for the proper care and safe keeping of the same; and each company shall consist of so many members as may be necessary for the proper care and efficient working of the appa-

tus in its charge. Each company shall elect such officers as the members thereof may deem necessary for the proper control of the company and the discharge of its duties. And the officers shall be distinguished by some conspicuous sign or badge; and the members, whenever called out for review, parade or duty, shall be clothed in some distinguishing uniform, with the full name or initial letters of the company upon the frontispiece of the hat or cap, or upon the belt; and no engine or other fire apparatus shall be given to any company until they have organized in compliance with the provisions of this ordinance. Each company shall, by its officers, have the sole and absolute control of its own engine or other fire apparatus, except as they may be subordinate to the chief and assistant engineers, and except as the city council may by ordinance provide; and in case of fire each company shall be controlled by its own officers, and are hereby empowered to keep away from their engines and other apparatus all persons intermeddling or interfering in any manner with the same, or with the company.

§ 6. Upon an alarm of fire, it shall be the duty of the different companies organized under the provisions of this ordinance, to immediately repair to the scene of the fire with their apparatus, and there act in implicit obedience to the orders of the chief and assistant engineers; and in the absence of both engineers, the chief officer of the company first upon the ground shall have the power of the chief engineer; and no company shall remove from the place they may be stationed without the express order of the chief engineer or other person discharging the duties of the chief engineer, nor shall any company refuse to obey his orders; and in case of willful failure to obey the orders of the chief engineer or his assistant, or other person discharging the duties of chief engineer, the city council may take from the company so failing in their duty, the engine or other fire apparatus, and all other property belonging to the city; and upon the chief engineer reporting to the city council in his semi-annual report, or at any other time, that any company has so failed to obey his orders, or neglects to keep in good repair and ready for instant use the fire apparatus intrusted to it, or that any company has not sufficient members for the proper and efficient working of the same, the city council shall take from such company the apparatus intrusted to it.

§ 7. The chief engineer shall include in his semi-annual reports

the numbers of each company, and whether such number is sufficient for the purposes for which said company is organized, as also the names of the principal officers of each company; and each company is hereby required to allow the chief engineer free access to their books and records and buildings, for purposes of inspection and making of his said reports.

§ 8. The chief engineer shall cause at least two public parades or reviews of the fire department in each year, on the first Mondays of May and October, when the same may be inspected by the mayor and city council; and it is hereby made the duty of each company to turn out in full uniform, with their different apparatus, upon such parade or review; and a neglect to do so shall be treated in the same manner as provided in case of willful disobedience of orders in case of fire.

§ 9. All fire companies now organized in said city shall be considered as organized under the provisions of this ordinance, except so far as anything in said companies, or either of them, may be inconsistent thereto.

ELECTIONS.

AN ORDINANCE regulating the mode of holding general and special elections in the city of Pekin.

- SEC. 1. Council to appoint inspectors in each ward, and oath of inspectors and clerk.
2. Duty of inspectors to give notice of elections.
 3. Vacancy to be filled.
 4. Annual election to be the third Monday in April.
 5. Mayor, election of, special.
 6. Challenge vote; oath of voter required.
 7. Counting votes, and manner of making returns.
 8. To preserve and return votes received to council, with poll book, &c.
 9. Duty of city clerk.
 10. Equal number of votes, how determined who is elected.
 11. Contested election, how to proceed.
 12. Chairman of committee and city council to administer oaths.
 13. Penalty for voting more than once.

Be it ordained by the city council of the city of Pekin:

SEC. 1. That the city council shall annually appoint three inspectors of elections in each ward of said city. Said inspectors shall be qualified voters at the time of their appointment, and hold their office for one year and until their successors are appointed. Said

inspectors in each ward shall appoint their own clerks, who shall possess the same qualifications of inspectors; and the said inspectors and clerks shall take the following oath or affirmation previous to taking any votes at any election, to wit:

"I, A. B., do solemnly swear (or affirm) that I will perform the duties of inspector (or clerk as the case may be) according to law and the best of my ability. That I will studiously endeavor to prevent fraud, deceit and abuse in conducting the same. So help me God, (or so I affirm.)"

Which said oath or affirmation may be administered by a justice of the peace or notary public in said city, or in their absence either of the inspectors of said election may administer the same to each other and to the said clerks, and certify the same upon said poll books of such election.

§ 2. That said inspectors shall, before any general or special election, provide a convenient place for holding such election in the respective wards, and shall give at least ten days' notice, by posting in at least two of the most public places in their respective wards, of the time and place of holding such election, and the nature thereof, and shall make returns under their hands and seals to the clerk of the city of Pekin.

§ 3. That in case a vacancy shall occur in the office of inspector of election, by death, resignation or otherwise, it shall and may be lawful for the mayor of said city to fill such vacancy by appointment, in writing, to be filed with the clerk of the city of Pekin; and the said clerk shall give notice thereof to the person so appointed; and in case the mayor be absent or the office of mayor be vacant, the city council shall make such appointment.

§ 4. That all annual elections shall be held on the third Monday of April in each and every year, and the polls shall be kept open from eight o'clock A. M. until six o'clock P. M., of said day, until otherwise ordered by the city council for the election of city officers.

§ 5. That in case of the resignation or death of the mayor of the city, it shall be the duty of the clerk of the city to issue an order to the several inspectors of elections in the several wards of the city, to give public notice, as is required by section second of this ordinance, and who shall conduct the same in the same manner as at general elections, and make like returns thereof to the clerk of said city.

§ 6. When any person shall present himself to give his vote, and either of the inspectors of the election shall suspect that such person

does not possess the requisite qualifications of an elector, or if his vote shall be challenged by any elector who has previously voted at such election, the inspectors of the election shall tender to such person an oath or affirmation, in the following form :

“You do swear that you have resided in the state of Illinois twelve months next preceding this election, and that you are a citizen of the United States, (or was an inhabitant of the state of Illinois on the first day of April, 1848,) and that you are twenty-one years of age, and that you have resided in the city of Pekin three months next previous to this election, and have resided in this ward ten days next preceding this election, and that you have not voted at this election. So help you God.”

And if the person so offering his vote shall take such oath or affirmation, his vote shall be taken, unless it shall be proven by evidence satisfactory to a majority of the inspectors that said oath or affirmation is false; and if such person shall refuse to take such oath or affirmation, his vote shall be refused.

§ 7. When the votes shall have been examined and counted, the clerks shall set down in their poll books the name of every person voted for, written at full length, the office for which such person received such vote or votes, and the number he did receive, the number being expressed in words at full length; such entry to be made as near as circumstances will admit in the following form :

“At an election held in ——— ward, in the city of Pekin, in the county of Tazewell and state of Illinois, on the ——— day of ———, in the year of our Lord one thousand eight hundred and ———, the following named persons received the number of votes annexed to their respective names, for the following described offices, to wit :

- A. B. had fifty votes for mayor.
- C. D. had fifty votes for mayor.
- E. F. had fifty votes for alderman.
- G. H. had twenty votes for alderman.
- I. J. had ten votes for aldermen.

And in the same manner for any other person or offices voted for.

Certified by us under our hands and seals, at the city of Pekin, this ——— day of ———, 18——.

[SEAL]

A. B. } *Inspectors of the election*
C. D. } *in the ——— ward, city*
E. F. } *of Pekin.*

Attest :

[SEAL]

G. H., } *Clerks of the election in the*
I. J., } *——— ward, city of Pekin.”*

§ 8. It shall be the duty of the inspectors to cause every vote received and counted to be strung upon a thread or wire and safely preserved, and which shall be put in the ballot box by the said inspectors of the said election and sealed up, which shall be returned to the clerk of the city of Pekin, together with one of the poll books, under separate cover and seal, directed to the clerk of the city of

Pekin ; and the ballot box and packet thus sealed up shall be delivered to the said clerk by one of the inspectors or clerks of said election, within one day from the close of the polls, and the other poll book shall be deposited with one of the inspectors of the election ; and the said poll book shall be subject to the inspection of any elector who may wish to examine the same ; and if any inspector or clerk of an election shall fail to deliver such ballot box and poll book to the clerk of the city of Pekin within the time prescribed by this section, safe, and the seals unbroken, he shall, for every offense, forfeit and pay the sum of one hundred dollars, for the use of said city, to be recovered in any court having jurisdiction thereof, in an action of debt in the name of the city of Pekin.

§ 9. It shall be the duty of the clerk of the city of Pekin to preserve the several ballot boxes and poll books, and to deliver the same over to the mayor, or in his absence to the president pro. tem., at the first meeting of the city council after said election in said city, when he shall, in the presence of said council, open the several poll books so returned, and the council shall canvass the same and cause the clerk of the city to make out certificates to the persons having the highest number of votes for the respective offices as elected thereto, who shall deliver the same to the persons therein named.

§ 10. If it shall happen that there be no choice in the election of any officer by reason of two or more persons having an equal number of votes for the same, it shall be the duty of the clerk to prepare a number of ballots for each of the candidates having an equal number of votes, equal to the number of members of said council then present, and shall write the names of such candidates on the ballots prepared for them respectively ; he shall then deposit the said ballots in a box in such a manner that no person drawing a ballot shall know the name written thereon, and each member of the council then present shall draw one ballot from said box, and the candidate whose name shall have a plurality of the ballots thus drawn, shall be declared duly elected to said office ; if two or more names shall appear on an equal number of ballots thus drawn, and said number be the highest, then a new ballot shall be made between them in like manner, dropping one of the candidates, and so on until an election by lot is effected in the manner already provided for.

§ 11. When any person who has been a candidate for the office

of mayor or alderman in said city, shall intend to contest the election of the candidate in whose favor the return has been made, it shall be his duty, within ten days from the day of such election, to give notice in writing of such intention to the person whose election he intends to contest, either by personal service of such notice or by leaving the same at his usual place of residence; and it shall be the duty of the contesting party, within the time aforesaid, to file a petition with the clerk of the council, addressed to the said council, and setting forth his intention to contest the said election, together with the points upon which it is to be contested; and thereupon the city council shall appoint, at their next meeting, a committee of three to examine into the case and report thereon to the said council; said committee shall proceed to discharge the duty assigned them by hearing testimony or otherwise, having first given five days' notice of the time and place, to both parties, of making such inquiry, and shall report the result of their inquiry to the city council, with a brief view of the testimony in the case, and of the reasons of their decision; and thereupon the contest shall be finally determined by a vote of said city council; *provided*, however, that the council, before such final determination, may, if they think fit, proceed to examine the testimony in the case, upon giving like notice to the parties as herein before provided.

§ 12. That the chairman of any committee appointed under the last preceding section, and also the chairman or president of the city council, shall be authorized, in cases therein mentioned, to issue subpoenas for witnesses under their hands; and if any witness upon whom such subpoena shall have been served, shall refuse obedience thereto, he shall forfeit the sum of twenty-five dollars, to be recovered by an action of debt in the name of the city of Pekin, for the use of the same, before the police magistrate, with costs of suit.

§ 13. If any person shall vote at any election more than once, or who is not a qualified voter, he shall forfeit and pay any sum not exceeding fifty dollars nor less than twenty-five dollars, to be recovered in the same manner as other penalties under this ordinance.

GRADING COURT STREET.

AN ORDINANCE relating to the establishing the grade of Court street and paving of side-walks.

- SEC. 1. Establishing the grade of Court street.
2. Establishing the width of side-walks.
3. Mayor or committee on streets and alleys to make contracts.
4. Expenses of the work to be defrayed by the city.
5. Owners to pave side-walks.
6. Engineer to assess the cost of work, and make deeds.
7. City engineer, on completion of the work, to report his doings.
8. City engineer's compensation.
9. City engineer not to make deeds, unless, &c.
10. To prevent extending steps and cellar doors on Court street.
11. To prevent extending sign boards across side-walks.
12. To prevent any side way or passage without railing.

Be it ordained by the city council of the city of Pekin :

SEC. 1. That the grade of Court street, from the east side of Front street to the east side of Fifth street, be and the same is hereby established as follows: Beginning at a point ten feet above datum line, reference being had to the survey made by the city engineer; proceeding to the west side of Second street on an ascending grade of five and twenty-five hundredths feet; thence across said Second street on a level; thence running on a descending grade of two and forty-eight hundredths feet, to the west side of Third street; thence across said Third street on a level; thence running on an ascending grade of two and forty-eight hundredths feet, to the west side of Capitol street; thence across said Capitol street on a level; thence continuing on the last named grade of two and forty-eight hundredths feet to the west side of Fifth street; being at the last named point seventeen and sixty-eight hundredths feet above datum line.

§ 2. *Be it ordained*, That the width of the side-walks on Court street be and they are hereby established at ten feet; and the city engineer is hereby authorized to set the stakes for curbing and paving said side-walks at said width, and upon the above described grade, said grade to be reckoned at the top line of the curbing.

§ 3. That the mayor or committee on streets and alleys shall proceed to contract for the necessary materials for curbing and making gutters within the limits considered in this ordinance, and shall, so soon as proper, receive proposals for the erection of the same, to be done under the supervision of the city engineer, or some other qualified person.

§ 4. That the direct expenses of said improvement shall be defrayed from the treasury of the city upon the estimate of the work furnished by the city engineer as it progresses, and when the final expenditure upon finishing the work is ascertained, the city engineer shall assess the amount of the cost of curbing and putting down the same upon the owners of all lots and parts of lots fronting on said street, within the limits named, pro rata, according to the previous assessed value of said lots with their improvements.

§ 5. That the owners of each corresponding lot or part of lot fronting on Court street, within the limits mentioned, and where said improvements are to be made, shall pave said side-walks in front of said lots or parts of lots, with brick, under the superintendence of the city engineer, within forty days from the time the curbing is put down in front of said lots or parts of lots; and if said owner or owners of said lots or parts of lots as aforesaid, shall neglect or refuse to pave said side-walks within the time and manner aforesaid, then it shall be the duty of the city engineer to pave said side-walks in front of said lots or parts of lots, and defray the expenses from the treasury of the city, and assess the owner or owners of said lots or parts of lots so paved at the expense of the city, in the same manner as is provided for the assessment of the curbing of said side-walk.

§ 6. That when the work aforesaid is completed, and the city engineer shall assess the costs thereof, together with the expenses of letting and superintending the same, as a tax upon the owner or owners of each corresponding lot or part of lot fronting on said Court street within the limits named, and the owner or owners of which shall neglect or refuse to pay the tax assessed upon him or them as aforesaid, said lots or parts of lots shall be advertised for sale by the city engineer, and the whole, or so much thereof as will bring the tax and costs, shall be sold on the twentieth day from the date of the advertisement, at public auction, by the city engineer, in the city of Pekin, between the hours of ten o'clock in the forenoon and five o'clock in the afternoon, for the tax and cost as aforesaid; and if his heirs, executors, administrators and assignees, or judgment creditors, shall not, within two years from the date of such sale, pay to the city treasurer, for the use of the purchaser of any such lots or parts of lots sold under this ordinance, or to his heirs, executors, administrators or assignees, double the amount of

money for which said lots or parts of lots were sold, together with all taxes and assessments paid by such purchaser, his heirs, executors, administrators or assignees, after such purchase, then the purchaser or his heirs and assignees shall be entitled to a deed for the same; which deed shall be executed by the city engineer selling the same, or his successor or successors in office, in his said capacity, and shall convey to said purchaser and to his heirs and assigns all the title which the owner thereof had at the time of the assessment of the tax.

§ 7. When the work aforesaid is completed, and the accounts closed, the city engineer shall make a full report of his actings and doings relative thereto to the city council of the city of Pekin, and the same shall be filed by the clerk of said city.

§ 8. The city engineer shall receive for his services such fees and commissions under this ordinance, as county officers shall receive for like services.

§ 9. That said engineer shall not make the deed under the provisions of the foregoing section, unless the purchaser or his heirs or assigns shall have complied with the conditional provisions concerning the purchase of land and lots for taxes.

§ 10. That no person or persons or corporation shall extend any cellar door on Court street, and no person or persons or corporation shall extend any step or steps on Court street more than three feet out from the line of said street; and that any person or persons who shall violate this ordinance, shall forfeit and pay a fine of not less than one dollar nor more than ten dollars for every day that the violation shall continue.

§ 11. That no person or persons or corporation shall place or cause to be placed any sign-board across any side-walk on Court street, in such a manner as it shall be necessary to place a post in said street for the support of the same. Any person or persons who shall violate this ordinance, shall forfeit and pay a fine of not less than one dollar nor more than ten dollars for every day that the violation shall continue; and it is made the duty of the city marshal to prosecute all persons who shall violate this and the preceding section.

§ 12. That no person or corporation shall permit, make or suffer any side way or passage leading from the side-walk on Court street into any basement cellar or building of more than one step in depth,

without protecting the same by a good substantial railing or door, to protect persons from falling into the same, under the penalty of not more than ten dollars nor less than one dollar; and it shall be the duty of the city engineer, upon the neglect or refusal of the owner of any lot or building on said street, to erect the same or cause the same to be done, to assess the cost thereof, with the expense of overseeing the same, against said lots or parts of lots, or building, and the same shall be a special tax upon said lot or building; and after giving twenty days' public notice of the time and place of sale, to sell the same, or so much thereof as will be sufficient to pay the same, subject to all the provisions and the rights of redemption as is provided in section six of this ordinance.

SIDE-WALKS.

AN ORDINANCE in relation to side-walks in the city of Pekin.

- SEC. 1. City council to pass resolution.
2. City clerk to give notice by publication.
3. Owner to pave side-walk.
4. Owner failing to pave side-walk, street commissioner to contract for same at expense of city.
5. Street commissioner to report; assessment of tax.
6. Repairs, when and how made.

Be it ordained by the city council of the city of Pekin:

SEC. 1. Whenever, in the opinion of the city council of said city, it shall become necessary and expedient to pave any side-walk on any street, avenue or alley, or any part thereof, within the limits of said city, the city council shall pass a resolution to that effect; which resolution shall set forth the particular street, avenue or alley, or part thereof, where such paving is required to be done, the manner in which the same shall be done, the width thereof, the material of which the same shall be constructed, and the time within which the owner or owners of any lots or parts of lots fronting on or adjoining such street, avenue or alley, or the part thereof to be paved, shall do the same.

§ 2. The city clerk shall, within ten days after the adoption of such resolution, give notice of the same by publication in some newspaper published in said city; which publication shall be deemed and taken as sufficient notice to the owner or owners of lots or parts

of lots, fronting on or adjoining such street, avenue or alley, where such paving is required to be done, as in such resolution and notice specified.

§ 3. That the owner or owners of any lot or part of lot fronting on or adjoining such street, avenue or alley, or part thereof, so directed to be paved, shall, within the time specified in such resolution, pave his, her or their side-walk in conformity with the requirements of such resolution, under the direction and supervision of the street commissioner.

§ 4. If any owner or owners of any lot or part of lot fronting on or adjoining such street, avenue or alley, or part thereof, so directed to be paved, shall neglect or refuse to pave his, her or their side-walk within the time specified in such resolution, and in conformity with the requirements thereof, the street commissioner shall contract with the lowest responsible bidder for the paving of such side-walk, at the expense of the city, in conformity with such resolution, in front of or adjoining any such lot or part of lot, by giving fifteen days' notice by publication in some newspaper published in said city, of the time when and the place where bids will be received therefor, and of the time within which, not exceeding thirty days, such paving must be completed by the party or parties contracting for the same, the contractor furnishing all the material and labor, under the direction and supervision of the street commissioner. And if such paving shall not be completed by any such contractor within the time so by the contract specified, the street commissioner shall proceed again, in the same manner, to contract for the paving of the same; the same to be paid for by the city when completed, upon the street commissioner certifying the amount due, and that the same has been done in accordance with such resolution as to manner, width and material.

§ 5. That the said street commissioner shall, immediately after such side-walk has been paved at the expense of the city, as herein before provided, report the amount on each lot or part of lot to the city clerk, who shall report the same to the clerk of the county court of Tazewell county, Illinois, as a special tax on such lot or part of lot; which amount so assessed shall be extended by the said clerk of said county court upon said lot or part of lot as a special tax on the same, in the same manner as other city taxes are extended;

and the same shall be collected at the same time and in the same manner as other taxes for the city are collected, and shall, in like manner, be paid over to the city.

§ 6. That whenever any repairs may be necessary to be made on any side-walk now paved, or hereafter paved, on any street, avenue or alley in said city of Pekin, or any part thereof, the owner or owners of any such lot or part of lot fronting on or adjoining such street, avenue or alley, or the agent of such owner or owners, shall be notified thereof in writing by the street commissioner; which notice shall set forth as near as may be the nature and extent of the repairs required to be so made; and if such owner or owners or agent, shall fail to have such repairs made within twenty days after notice as aforesaid, or should the street commissioner be unable, by reason of there being no such owner or owners or agent a resident of the city, to give such notice, he shall proceed as in case of failure to pave side-walks as herein before provided.

WIDENING WATER AND FRONT STREETS.

AN ORDINANCE to provide for the widening of Water and Front streets.

- SEC. 1. Margaret street, &c., extended to the Illinois river.
2. Front street widened.
3. Margaret and Elizabeth streets extended to low water mark.
4. Appointment of agents to condemn lots, &c.
5. Mayor to cause a jury to be summoned.

Be it ordained by the city council of the city of Pekin:

SEC. 1. That Margaret street, and the alley between Court and Elizabeth streets, shall be and the same are hereby extended to the Illinois river.

§ 2. That all that part of Front street which lies between Margaret street and the alley between Court and Elizabeth streets, of the city of Pekin, be and the same are hereby widened and extended westward so as to include all lots and parcels of lots, also all pieces and parcels of land of every kind and description, between Front and Water streets.

§ 3. That all that part of Water street which lies between Margaret street and the alley between Court and Elizabeth streets, in the city of Pekin, be and the same is hereby widened and extended

westward to low water mark on the Illinois river, so as to take in and include all lots and pieces of lots, also all pieces and parcels of land of every kind and description whatever, which lie west of Water street and between Margaret street and the alley last above named; and all of the said lots, tracts and pieces of land of every kind and description, between Front and Water streets and low water mark on the Illinois river, and within the space aforesaid, shall be and is hereby taken by the city of Pekin and appropriated to widening said Front and Water streets within the space aforesaid.

§ 4. That for ascertaining and adjusting the price and value of the several lots, tracts, pieces and parcels of land taken as aforesaid, James Harriott, Benjamin S. Prettyman, D. P. Kenyon, William Wilkey and Peter Weyhrich, be appointed and authorized on the part and behalf of the city of Pekin, to agree with the owners of said lots, tracts and parcels of land severally, for the price and value of the same; and the lots and parcels of land so taken and obtained by the city, shall be paid for by the city of Pekin, to the owner or owners respectively.

§ 5. That in all cases where the agent for and on behalf of the city of Pekin, and the owner or owners of any of said lots or parcels of lands taken as aforesaid disagree, or where such owner or owners cannot be found, then and in that event the mayor of the city shall he and is required to cause to be summoned before him six disinterested freeholders of the city of Pekin, who shall be duly sworn to assess the true value severally of said lots and parcels of land taken in widening the street aforesaid, and also assess the damages and benefits accruing to the owner or owners of the property aforesaid, in conformity to the provisions of the charter of the city in such cases made and provided; and the value of the property ascertained as aforesaid shall be paid by the city to the owner or owners if present, and if not present, to be paid when it is ascertained or found to whom the said lots or parcels of land belong; when so acquired by the city, said lots or parcels of land shall be and remain a public street and landing for the use of the city of Pekin forever.

SIDE-WALK ON SECOND STREET.

AN ORDINANCE for paving side-walk on Second street.

SEC. 1. Side-walk to be made of plank.

2. Width of side-walk; owners of lots neglecting to build walk, marshal and street commissioner to have the same done, and report to city council.

3. Duty of city engineer.

4. When work is done, engineer to make report to council; special tax, how assessed.

Be it ordained by the city council of the city of Pekin:

SEC. 1. That the side-walk on the west side of Second street, in the city of Pekin, from the corner of Court and Second streets south, to one square south of Broadway street, in said city of Pekin, shall be paved with good and sufficient plank; and that the width to which said side-walk shall be paved, shall be six feet.

§ 2. That the owner or owners of each lot or lots or part of lot or lots, fronting on Second street, within the limits above named, shall pave the said side-walk in front of his or her lot or lots or part of lot or lots, to the width of six feet, with good and sufficient plank, under the superintendence of the city engineer, on or before the first day of September, A. D. 1857. And if the owner or owners of any of said lot or lots or part of lot or lots, shall neglect or refuse to have the said side-walk in front of his or her said lot or lots or part of lot or lots paved as aforesaid, and within the time aforesaid, it shall be the duty of the city marshal and street commissioner, under the direction of the city engineer, to procure suitable material for paving said side-walk, and have the same put down and finished as soon as practicable; and when the same is completed by the city marshal, he shall make report thereof to the city council of said city, and present his bill of expense for the same, which, if approved by the said city council, shall be paid out of the treasury of said city.

§ 3. It shall be the duty of the city engineer of said city, as soon as the said paving shall be completed by the city marshal, to assess or apportion on each lot or part of lot fronting on the side-walk on which said paving shall have been done as aforesaid, its relative proportion of the expense of such paving; said assessment to be upon each lot or part of lot in the proportion which the front of said lot or part of lot may bear to the whole pavement put down on said side-walk, within the limits above named; *provided*, that the owner or owners of any lot or lots or part of lot or lots fronting on Second

street, within the limits above named, may procure the material for and pave his or her said lot or lots or part of lot or lots, under the direction of the city engineer, at any time within the time above named; in which case the said city engineer shall make no assessment against any lot or lots or part of lot or lots so paved by the owner or owners thereof as aforesaid.

§ 4. That when the work aforesaid is completed, and the city engineer shall have assessed upon each lot or part of lot within the limits above named, its proper and relative portion of having said side-walk paved, he shall make his report of the said assessment to the city council at the November, 1857, session thereof, with the amount assessed upon each lot, which shall be examined, and if found correct, shall be approved; and when so approved, it shall be the duty of the city clerk immediately to notify the clerk of the county court of the amount so assessed as a special tax on each lot or part of lot as aforesaid; which amount so assessed shall be extended by the county clerk as a special tax upon the said lot or lots or part of lot or lots, as other city tax is extended, and shall be collected at the same time and in the same manner as other taxes for the city are collected, and shall, in like manner, be paid over to the city.

SIDE-WALKS ON COURT STREET.

AN ORDINANCE for paving the side-walks on Court street.

- SEC. 1. Grade and width.
2. Engineer to set stakes.
 3. Owners to pave side-walks; neglecting or refusing to do so, marshal and street commissioner to have the same done, and report to city council.
 4. Duty of engineer.
 5. When paving is completed by the marshal, engineer to report to council; special tax, how assessed.
 6. Ordinances repealed.

Be it ordained by the city council of the city of Pekin:

SEC. 1. That the grade of Court street and width of side-walk, as were established by law, be and the same are hereby continued and confirmed; but to render the starting point of said grade more certain and definite, the city engineer is hereby required to fix permanently a solid stone at the corner of Court and Second streets, in the side-walk adjoining the curbing as now set at the Tazewell

House, as the true height of the grade now established for said Court street, from which point all other grades in the city may be measured and calculated.

§ 2. *Be it further ordained*, that the city engineer be and is hereby required to set the stakes for curbing and paving the side-walk on said Court street, at the width and upon the grade now established by law, for said street, said stakes to be set for and grade to be reckoned at the top line of the curbing.

§ 3. That the owner or owners of each lot or lots or part of lot or lots, fronting on Court street, from Front to Fifth street, shall pave the said side-walk in front of his or her lot or lots, or part of lot or lots, respectively, with good, smooth, hard brick, or with good, smooth, hard flag-stone or wood, under the superintendence of the city engineer, on or before the first day of August, 1857. And if the owner or owners of said lot or lots or part of lot or lots, respectively, shall neglect or refuse to have the said side-walk in front of his or her said lot or lots or part of lot or lots, paved with good and sufficient brick, stone or wood, as aforesaid, by the first day of August, 1857, then it shall be the duty of the city marshal and street commissioner to procure suitable material for paving said side-walk, and have the same put down and finished as soon as practicable, and when the same is completed, present a report of his actings and doings thereof, together with his bill of expense for the same, to the city council, which, if approved, shall be paid out of the treasury of said city.

§ 4. When the paving aforesaid shall be furnished by the said city marshal as aforesaid, it shall be the duty of the city engineer to assess or apportion upon each lot or part of lot in front of which said paving shall have been done by the city marshal, as above described, its relative proportion of the expense of said paving, said assessment to be made in the proportion which said lot or part of lot may have to the whole length put down by the said city marshal; *provided*, that the owner or owners of any lots fronting on said Court street, within the limits above named, may have the said side-walk paved with good and sufficient brick, wood or stone, at any time before the first day of August, 1857, under the direction of the city engineer; in which case the said engineer shall make no assessment upon such lot or part of lot so paved by the owner aforesaid.

§ 5. That when the paving by the city marshal aforesaid shall

have been completed, and the assessment upon each lot or part of lot so paved shall have been made by the city engineer, as required by the fourth section of this ordinance, the said city engineer shall make his report of the same to the city council, with the amount assessed upon each lot and part of lot, at the September session, 1857, which shall be examined by the council, and if approved, it shall be the duty of the city clerk of said city to immediately notify the clerk of the county court of the amount so assessed as a special tax on each lot or part of lot so reported and approved as aforesaid; which amount so assessed and approved shall be extended by the county clerk as a special tax against each of said lots or parts of lots, as other city taxes are required to be extended, and shall be collected from the owner or owners of said lot or lots or part of lot or lots, respectively, at the same time and in the same manner as other taxes for the city are collected, and shall, in like manner, be paid to said city.

§ 6. All ordinances or parts of ordinances coming in conflict with this ordinance, be and the same are hereby repealed. This ordinance to take effect from and after its passage.

SOUTH STREET ESTABLISHED.

AN ORDINANCE to provide for the establishment of South street.

SEC. 1. Location and width of street.

2. Price of land to be agreed on by persons appointed; to be paid for by the city.
3. In case of disagreement as to value of land taken, other assessors to be appointed, and amount paid.

Be it ordained by the city council of the city of Pekin:

SEC. 1. That the piece and parcel of ground described as follows, to the width of fifteen feet, be and the same is hereby declared a public street, to wit: Beginning two hundred and ninety (290) feet east of the center of section three, (3,) township twenty-four (24) north, range five, (5,) west of the third principal meridian; thence east on quarter section line twenty (20) feet; thence south forty-one degrees west, four hundred and seventy-one and sixty-five hundredths (471.65) feet, to north and south center line of said section three, (3,) three hundred and fifty-five and sixty-seven hundredths (355.67) feet from the center of section; thence north twenty-four and thirty-

four hundredths (24.34) feet; thence north forty-one (41) degrees east, four hundred and forty-three and thirty-five hundredths (443.35) feet to the place of beginning; containing fifteen hundredths of an acre; to be known and called by the name of South street.

§ 2. That for ascertaining and adjusting the price and value of the land taken as aforesaid, the following persons be and the same are appointed by and on behalf of the said city of Pekin, to agree with the owner or owners of said land taken for the purpose of establishing said South street, to wit: Isaac E. Leonard, John Haas and Daniel S. Risinger; and the price agreed upon by the said owner or owners of said land and the said persons shall be paid by the city to the owner or owners upon the opening of said street.

§ 3. That in case the said persons appointed on behalf of the city shall be unable to agree with the owner or owners of said land as to the price and value of the land taken for the purpose aforesaid, and the damages sustained by the said owner or owners of said land by reason of opening said street, then the mayor of said city is hereby required to cause to be summoned before him six disinterested freeholders of the city of Pekin, who shall be duly sworn to assess the true value of all the land so taken as aforesaid, and all damages and benefits accruing to the owner or owners as aforesaid, in conformity with the provisions of the charter of the city in such case made and provided; and the amount as finally settled shall be paid to the owner or owners thereof; and said land, when so acquired, shall remain a public street for the use of the city of Pekin forever.

SOUTH FRONT STREET.

AN ORDINANCE to provide for the laying out of South Front street.

SEC. 1. Location and width of street.

2. Agents to adjust prices and value of the land taken; city to pay for same.

3. In case of disagreement, mayor to ascertain value, &c.

4. When damages are paid, said street to be a public street.

Be it ordained by the city council of the city of Pekin:

SEC. 1. That all that part of the following described land, to the width of sixty-six feet, be and the same is hereby declared a public street, to wit: Beginning at the center of the west end of Washington street, in Cincinnati; thence, (adjustment for variation of needle

7° 30',) south forty-one degrees west, forty-nine and fifty hundredths (49.50) chains, to a point four chains southeast of the section corner between fractional section three and four on the river; thence, south 30' west, thirty chains, to the south boundary of said city, and called and known by the name of "South Front street."

§ 2. That for adjusting and ascertaining the price and value of the parcel or parcels of land taken as aforesaid, the following persons, to wit, David Mark, Joshua Wagenseller and Samuel P. Higginson, be authorized, on the part of the city of Pekin, to agree with the owner or owners of said parcel or parcels of land, severally, for the price and value of the same; and the parcel or parcels of land so taken shall be paid for by the city of Pekin to the owner or owners thereof, respectively.

§ 3. That in all cases where the agents aforesaid for and on behalf of the city cannot agree with the owner or owners of any parcel or parcels of land so taken as aforesaid, or the owners thereof shall be under age, feme-covert, or cannot be found, then, and in that event, the mayor of said city shall proceed in all respects in ascertaining the value of such parcel or parcels of land as required by the fifth section of an ordinance of said city, entitled "An ordinance to provide for widening of Water and Front streets," and in pursuance of the charter of the city of Pekin.

§ 4. That when the value of the land above described is ascertained, and damages paid as aforesaid, the same shall be forever established as a public street.

PAVING SIDE-WALKS.

AN ORDINANCE in relation to paving side-walks in the city of Pekin.

- SEC. 1. Where side-walks are to be constructed; location designated.
2. Width of side-walk; to be made of plank, stone or brick; owners neglecting to pave side-walks, street commissioner to have same done, and report to city clerk; special tax, how assessed and collected.

Be it ordained by the city council of the city of Pekin:

SEC. 1. That the side-walk in Cincinnati addition to Pekin, commencing at the corner of Market and Washington streets, on the west side, running south to the railroad; the side-walk commencing at the corner of St. Mary's and Front streets, on the north side,

running east to Fourth street; the side-walk commencing at the corner of Fifth and Court streets, on the south side, running east to Campbell street, in Colt's addition to Pekin; the side-walk commencing at the corner of Elizabeth and Fourth streets, running south to Broadway, on the west side; thence south on Chestnut street, on the west side, to the south side of Leonard's addition to Pekin; the side-walk commencing at the corner of Washington street and Buena Vista avenue, running east, on the south side of Washington street, to the northeast corner of lot one, in Leonard's addition to Pekin; thence from the northeast corner of said lot one, on the west side, south to the south side of lot sixteen, in Leonard's addition; the side-walk commencing at the corner of Court and Second streets, on the east side, south to Broadway; the side-walk commencing at the corner of Third and Margaret streets, running north on the east side of Third street, to Charlotte street; the side-walk commencing at the corner of Capitol and Caroline streets, running north, on the east side of Capitol street, to State street; the side-walk commencing at the corner of Front and Margaret streets, running east, to the east line of the original town of Pekin, on the north side of Margaret street; the side-walk commencing at the corner of Caroline and Fifth streets, running on the east side of Fifth street north to Willow street; the side-walk commencing at the corner of Second and Caroline streets, running east on the south side of Caroline street to Fourth street; thence east on the north side of Caroline street to Sixth street; the side-walk commencing at the corner of Front and Ann Eliza streets, thence east on the north side of Ann Eliza street to Seventh street; the side-walk commencing at the corner of Second and Margaret streets, thence on the east side of Second street north to Caroline street; the side-walk commencing at the corner of Front and Broadway streets, running east on the south side of Broadway to Court street; the side-walk commencing at the corner of Broadway and Main streets, running south on the east side of Main street to the south side of Cincinnati addition to Pekin; shall all be paved with good and sufficient brick, stone or plank, to the width of not less than six feet; where plank is used, to be placed cross-wise. Said side-walks all to be paved on or before the first day of September, 1860, as in the next section provided.

§ 2. That the owner or owners of each lot or lots or part of lot or

lots fronting or adjoining on any of the side-walks above named, within the limits above named, shall pave the side-walk in front or adjoining his or her lot or lots or part of lot or lots, to the width of not less than six feet, with good and sufficient plank, stone or brick, under the superintendence of the street commissioner, on or before the first day of September, 1860. And if any owner or owners of any such lot or lots or part of lot or lots, shall neglect or refuse to have the side-walk in front of his or her lot or lots or part of lot or lots paved as aforesaid, within the time aforesaid, it shall be the duty of the street commissioner to let out the paving of the side-walk adjoining or fronting on said lot or lots or part of lot or lots, which the owner or owners have neglected to pave as herein before required, to the lowest bidder; and when the said street commissioner has let the same to the lowest bidder as aforesaid, he shall report the amount on each lot or part of lot to the city clerk, who shall report the same to the clerk of the county court of Tazewell county, Illinois, as a special tax on said lot or lots or part of lot or lots, which amount so assessed shall be extended by the clerk of said county court upon said lot or lots or part of lot or lots, as a special tax on the same, as other city taxes are extended, and shall be collected at the same time and in the same manner as other taxes for the city are collected, and shall in like manner be paid over to the city.

STREET TAX.

AN ORDINANCE in relation to street tax.

- SEC. 1. Inspectors of elections to make a list of persons liable to pay street tax.
2. Clerk to make a copy of lists and deliver the same to street commissioner.
3. Street commissioner to collect street tax and report to city council.
4. Persons neglecting or refusing to pay street tax, street commissioner to sue for same.
5. Compensation of inspectors of election.
6. Part of ordinance concerning duty of street commissioner repealed.

Be it ordained by the city council of the city of Pekin:

SEC. 1. It shall be the duty of such inspectors of election in each ward as shall be designated by the city council, in the last week in April in each and every year, to make a complete list of the names of all persons living in their respective wards liable to work on the

streets or pay a street tax, which list shall be returned on or before the first Monday in May to the city clerk.

§ 2. It shall be the duty of the city clerk, on the receipt of said list from the inspectors of election, to make a copy of the list so returned, which shall be delivered to the street commissioner by said city clerk, on or before the second Monday of May; and, on delivery of the list as aforesaid, to the street commissioner, the said city clerk shall take a receipt for the same, which receipt shall state the number of names and the amount of street tax due from each person therein named, and charge the amount of tax specified in said receipt to the street commissioner.

§ 3. It shall be the duty of the street commissioner, on the receipt of said tax list, to immediately proceed to collect the said street tax, or allow the persons named in said list to work the same out, as is provided in an ordinance for the appointment of street commissioner, and prescribing his duties; and on or before the first Monday of March, June, September and December, in each and every year, all street tax by him collected in money shall be paid to the city treasurer, and a duplicate receipt taken therefor, one of which receipts shall be filed by the city clerk; and in the quarterly reports of said street commissioner he shall state what amount of said street tax was paid in money, and what amount in labor.

§ 4. It shall be the duty of the street commissioner, when any person or persons from whom street tax is due shall neglect or refuse to pay said tax in money or labor, as is provided in an ordinance for the appointment of street commissioner, and prescribing his duties, to leave a list of the names of said delinquents with the police magistrate, and commence suit immediately against all persons who shall neglect or refuse to pay said street tax.

§ 5. The inspectors of election shall receive as compensation for their services, for each and every day employed in making said tax list, the sum of two dollars, to be paid out of the city treasury.

§ 6. So much of section second of an ordinance providing for the appointment of street commissioner, and prescribing his duties, as required the street commissioner to spend the tax by him collected, is hereby repealed.

GUN-POWDER.

AN ORDINANCE to prevent the storage of excessive quantities of gun-powder, and defining the duties of city marshal in relation thereto.

- SEC. 1. Gun-powder over twenty-five pounds not to be kept in city limits.
2. Duty of city marshal; penalty for neglecting same.
3. Resistance to city marshal, how punished.

Be it ordained by the city council of the city of Pekin:

SEC. 1. That no person or persons or corporation residing in or doing business within said city, shall be allowed to keep, within their respective stores or dwellings, cellars or out-houses, at any one time, more than twenty-five pounds of gun-powder, which shall be kept in canisters composed of tin or copper, and well covered with like metal, and all of which shall not contain more than twenty-five pounds of gun-powder; and that no person or persons or corporation residing or doing business within said city, shall store powder within the city limits in any quantity over twenty-five pounds, unless the same is so stored as to be in a building or vault made fire-proof, under a penalty of twenty dollars for each and every such offense.

§ 2. That the city marshal shall make a thorough search into every store and dwelling-house, cellar and out-house, where powder is kept, or supposed to be kept, as an article of trade, to ascertain whether the first section of this ordinance is strictly complied with, and make report to the council on the subject at least once in every three months; and it is hereby made his duty to prosecute all offenders against this ordinance; and for failing or neglecting his duties as prescribed in this ordinance, he shall forfeit and pay a fine of not less than ten nor more than twenty dollars.

§ 3. If any person or persons shall obstruct, hinder or delay, or attempt to obstruct, hinder or delay the said city marshal or his deputies in the execution of his duties under this ordinance, or shall offer any resistance to said marshal or his deputies while engaged in the execution of his duties under this ordinance, by threats of violence or otherwise, he, she or they shall be deemed guilty of a misdemeanor, and shall forfeit and pay a fine to the city of Pekin of not less than ten nor more than one hundred dollars, to be recovered as other fines are in the city of Pekin.

WOODEN OR FRAME BUILDINGS.

AN ORDINANCE in relation to the erection of wooden or frame buildings, and also in relation to lumber yards on certain blocks in the city of Pekin.

- SEC. 1. Wooden or frame buildings and lumber yards prohibited on certain blocks ; penalty.
2. Wooden or frame additions to present buildings prohibited; penalty.
3. Wooden or frame buildings not to be removed to blocks mentioned in first section ; penalty.
4. Lumber yards to be removed ; penalty for failure.
5. Duty of the city marshal.
6. Penalty for failure when notified by marshal.
7. Ordinances repealed.
8. Part of an ordinance repealed.

Be it ordained by the city council of the city of Pekin :

SEC. 1. That from and after the publication of this ordinance, it shall not be lawful for any person or persons, corporation or corporations, to put, build or erect any wooden or frame structure, building or buildings, or to erect or keep any lumber yard or lumber yards, for the keeping, storing, piling or selling of any kind of lumber, lath or shingles, upon any lot or lots, in any of the following named blocks, to wit: blocks six (6), seven (7), thirty-seven (37), thirty-eight (38), forty-six (46), forty-seven (47), sixty-four (64), sixty-five (65), Seventy-one (71), seventy-two (72), ninety (90), and ninety-one (91), in the original town of Pekin; and all and every wooden or frame structure, building or buildings so put, built or erected, or about to be or in process of so being put, built or erected, and all and every such lumber yard or lumber yards so erected or kept, on any lot or lots in any of said blocks, shall be and the same is hereby declared to be a public nuisance; and all and every person or persons, corporation or corporations, who shall be guilty of a breach of any provision of this section of this ordinance, shall, upon conviction thereof, be fined in any sum not exceeding one hundred dollars nor less than ten dollars, with costs of prosecution.

§ 2. That from and after the publication of this ordinance, it shall not be lawful for any person or persons, corporation or corporations, to put, build or erect any wooden or frame addition, extension or exterior enlargement or alteration whatsoever, to any building or buildings now built or erected upon any lot or lots in any of the blocks in section one (1) of this ordinance named; and

all and every such addition, extension or exterior enlargement or alteration so put, built or erected, shall be and the same is hereby declared to be a public nuisance; and all and every person or persons, corporation or corporations, guilty of a breach of this section of this ordinance, shall, upon conviction thereof, be fined in any sum not exceeding one hundred dollars nor less than ten dollars, with costs of prosecution.

§ 3. That from and after the publication of this ordinance, it shall not be lawful for any person or persons, corporation or corporations, to remove any wooden or frame structure, building or buildings that may now be built or erected upon any lot or lots in any of said blocks, from the said lot or lots to any other lot or lots in any of said blocks; and every wooden or frame structure, building or buildings so removed, shall be and the same is hereby declared to be a public nuisance; and all and every person or persons, corporation or corporations, who shall be guilty of any breach of this section of this ordinance, shall, upon conviction thereof, be fined in any sum not exceeding one hundred dollars nor less than ten dollars, with costs of prosecution.

§ 4. That all and every lumber yard or lumber yards for the storing, keeping, piling or selling of any kind of lumber, lath or shingles, now kept or erected upon any lot or lots in any of said blocks, and which shall not, at the expiration of ten days from and after the publication of this ordinance, be removed to some place other than any lot or lots in any of said blocks, shall be and the same is hereby declared to be a public nuisance; and all and every person or persons, corporation or corporations, who, after the expiration of the said ten days, shall be engaged in the continuing of any such lumber yard or lumber yards, shall, upon conviction thereof, be fined in any sum not exceeding one hundred dollars nor less than ten dollars, with costs of suit.

§ 5. Whenever, after the publication of this ordinance, there shall, upon any lot or lots in any of the said blocks, be put, built, erected or removed, or about to be put, built, erected or removed, or in process of being put, built, erected or removed, any wooden or frame structure, building or buildings, addition, extension or exterior enlargement or alteration, the putting, building, erecting or removing of which upon such lot or lots is by this ordinance declared to be a public nuisance; or whenever, after the publication of this

ordinance, any lumber yard or lumber yards shall be erected or kept or continued upon any lot or lots in any of said blocks, the erecting or keeping or continuing of which is by this ordinance declared to be a public nuisance, it shall be the duty of the city marshal of the city of Pekin to notify, if practicable, the owner of the lot or lots in any of the said blocks upon which any such structure, building or buildings, or addition, extension or exterior enlargement or alteration, or lumber yard or lumber yards shall be, or the owner or owners of, or the person or persons engaged in the erecting or building or removing of any such structure, building or buildings, addition or extension or exterior enlargement or alteration, or the owner or owners of, or the person or persons engaged in the erecting or keeping or continuing of any such lumber yard or lumber yards, to remove the same within twenty-four hours after the service of such notice, to some place other than any lot or lots in any of the said blocks; and in default of the removal of any such wooden or frame structure, building or buildings, addition, extension or exterior enlargement or alteration, or lumber yard or lumber yards, within twenty-four hours after the service of such notice by the owner thereof, or by the person or persons in charge thereof, it shall be the duty of the city marshal to remove or cause to be removed the same forthwith, after the expiration of such notice, to some convenient place other than any lot or lots in any of the said blocks; and on failure of the owner thereof to pay for the removal of the same, it shall be lawful for the city marshal to sell so much of the material of such structure, building, addition, extension, or exterior enlargement or alteration, or lumber yard or lumber yards, as may be necessary to pay the expense of such removal; or the city marshal may maintain an action for such expense before the police magistrate of the city.

§ 6. That from and after the publication of this ordinance, any person or persons, corporation or corporations, who shall be the owner of any wooden or frame structure, building or buildings, addition, extension or exterior enlargement or alteration, built or erected or removed or kept contrary to the provisions of this ordinance, and the owner or owners of any lot or lots in any of the said blocks upon which any such structure, building or buildings, addition, extension or exterior enlargement or alteration, lumber yard or lumber yards, shall be built or erected or removed or kept contrary to the provisions of this ordinance, who shall be notified to remove

the same by the city marshal, and who shall neglect to remove the same within forty-eight hours after the service of such notice, shall forfeit and pay five dollars for each and every day the same shall be suffered to remain on any lot or lots in any of the said blocks, after the expiration of the said notice, to be sued for and recovered before the police magistrate of the city of Pekin; as in other cases provided for, with costs of prosecution.

§ 7. That an ordinance, entitled "An ordinance in relation to the erection of frame buildings and lumber yards on certain blocks in the city of Pekin," passed December 5th, 1859, and all ordinances amendatory or supplemental thereto, be and the same are hereby repealed, except that no offense committed, and no fine, penalty or forfeiture incurred under any of said ordinances previous to the publication of this ordinance, shall be at all released, affected, or in any way discharged by such repeal; but the trial, conviction and punishment of all such offenses and the recovery of all such fines, penalties and forfeitures shall be had in all respects as if such ordinances had remained in full force.

§ 8. That so much of an ordinance, entitled "An ordinance to amend the several ordinances of the city of Pekin in relation to fines," as is inconsistent or in conflict herewith, be and the same is hereby repealed.

HORSES.

AN ORDINANCE in relation to horses running at large within the city of Pekin.

SEC. 1. All horses, mules, &c., at large, declared a nuisance; penalty.

2. City marshal to take up horses, &c., prosecute owner and sell the same; owner may have money refunded; marshal to report monthly; mayor to keep book; owner may redeem before sale.

Be it ordained by the city council of the city of Pekin:

SEC. 1. That no person shall turn out loose, or suffer to go at large, or go to water in the city of Pekin, without a suitable person to lead the same, any horse, mare, gelding, colt, mule or ass; and all such horses, mares, geldings, colts, mules or asses running at large as aforesaid are hereby declared a nuisance, and every person so offending shall, on conviction thereof, forfeit and pay the sum of five dollars for each offense.

§ 2. It shall be and is hereby made the duty of the city marshal to take up any horse, mare, gelding, colt, mule or ass turned loose and running at large within the said city, and prosecute the owner thereof, if known, and if a resident within the limits of said city, for a breach of this ordinance; and upon conviction, if the owner thereof shall, within five days thereafter, pay to the city marshal the penalty herein provided, and a fee of one dollar for taking up, and reasonable expenses for keeping the same, such property so taken up shall be restored to the owner; but if the owner does not redeem the same within the said time, by payment as aforesaid, the city marshal shall expose and sell the same at public auction to the highest and best bidder for cash, after having given ten days' notice thereof in three of the most public places in said city of the time and place of sale, with a brief description of the property; and the money arising from such sale, after paying the amount of the penalty and the costs of prosecution, and all costs and expenses of taking up, keeping, advertising and selling, shall be, on demand, forthwith paid over to the owner of said animal; but if the city marshal, after making diligent inquiry, shall be unable to find any owner or owners for such animal so taken up as aforesaid, within ten days thereafter, he shall thereupon proceed to sell the same, after having given ten days' previous notice as aforesaid, and the moneys arising from such sale, after paying the fee for taking up, and reasonable expenses for keeping and selling, shall be paid into the city treasury, to be refunded to the owner or owners of property so taken up and sold as aforesaid, if applied for, and the property duly proved before the mayor within one year after such sale, deducting the amount of the penalty; and the mayor shall issue an order to the city treasurer, or to the person in whose hands the money may be, for the amount found to be due to such owner or owners; but if no application is made within one year after such sale, the money shall be applied to the use of the city; and the city marshal is required and it is hereby made his duty to make a return to the mayor of said city, on the first Monday of each and every month, a description of all animals taken up and sold by him by virtue of this section, and a full and correct statement of all his actings and doings therein, which shall be recorded by the mayor in a book to be kept for that purpose, and subject at all reasonable times to the inspection of any person or persons. Nothing herein contained shall prevent the

owner or owners of such property taken up as aforesaid from recovering the same by payment of fine, costs and charges at any time before the sale thereof.

HOGS.

AN ORDINANCE in relation to swine running at large within the city of Pekin.

- SEC. 1. All swine running at large declared a nuisance ; duty of marshal.
2. Private persons may take up hogs.
 3. Marshal, upon notice, to take up all swine.
 4. Marshal shall sell hogs after giving notice; owner may redeem swine before sale; if no person bid, what to be done.
 5. Penalty for breaking open pound.
 6. Ordinances repealed.

Be it ordained by the city council of the city of Pekin:

SEC. 1. That no swine of any kind whatever shall be permitted to run at large within the limits of the city of Pekin ; and all swine running at large in the streets, lanes, alleys or other public places within said city, shall be considered and are hereby declared to be a nuisance ; and any swine which may be found running at large as aforesaid, shall be taken up under the direction of the city marshal and placed in some secure pen or pound, to be by him provided for that purpose.

§ 2. That any private person who has been injured in his property, or is in danger of being injured by any swine running at large, may, in his discretion, take up and confine them in some convenient place within the limits of said city, or he may confine them in the pen or pound provided by the city marshal ; and it shall be the duty of the person so taking up any swine to notify the city marshal thereof, within twenty-four hours thereafter ; and the city marshal shall thereupon proceed in all respects the same as if he had himself taken up said swine.

§ 3. It shall be the duty of the city marshal in all cases when he shall be notified by any citizen or resident of said city, that any swine are running at large therein, immediately and with all due diligence to use his best exertions to take up or cause to be taken up any swine running at large, and to confine them in the pen or pound provided for that purpose.

§ 4. When any swine are taken up by virtue of any or all of the foregoing sections, it shall be lawful for the city marshal, and it is hereby made his duty, to sell the same at public auction to the

highest and best bidder for cash, after having given three days' notice in three of the most public places in the city of Pekin, of the time and place of such sale, with a brief description of the property, its color, marks and brands ; and the money arising therefrom shall, after deducting the expenses of taking up and selling, be paid over to the owner or owners thereof, on their proving, to the satisfaction of the city marshal, that the property of such swine is in him or them ; but if no owner appear within ten days after such sale, the said money, after deducting the costs and charges, shall thereupon be paid into the city treasury and become a part of the city revenue ; *provided*, that the owner or owners of any such swine at any time previous to such sale, may redeem the same by paying to the city marshal the sum of fifty cents for each boar, sow or barrow, and seventy-five cents for each sow with her pigs, so taken up, to be retained by said marshal in full of all fees, costs and charges ; and if no person shall appear and bid at any sale provided for by this ordinance, it shall be lawful for the city marshal to appropriate any such swine to his own use, and such appropriation shall be deemed and taken to be in full discharge of all fees, costs, charges and expenses accruing to him under this ordinance.

§ 5. If any person shall break or otherwise open any pen or pound, or let out any boar, sow, barrow, or swine of any kind whatever, impounded by virtue and in accordance with the provisions of this ordinance, every person so offending shall forfeit and pay any sum not exceeding fifty nor less than five dollars.

§ 6. *Be it further ordained*, That all ordinances and parts of ordinances in conflict with this ordinance, be and the same are hereby repealed.

AUCTIONEERS.

AN ORDINANCE for the licensing of auctioneers in the city of Pekin.

SEC. 1. Auctioneers to be licensed.

2. Amount of license and per centage ; licentiate to enter into bond ; to file statement with police magistrate, &c.
3. On failure to pay per centage, license to be void ; no person to sell under license granted to another.
4. No person to sell without license ; penalty.
5. Ordinances repealed.

Be it ordained by the city council of the city of Pekin :

SEC. 1. That all person or persons, or venders of goods, wares,

merchandise, real estate or other property, at public auction, vendue or out-cry, within the corporate limits of the city of Pekin, shall obtain a license from the city council of said city; which license shall be under the seal thereof, and signed by the mayor and clerk of said city, and shall be granted for the term of one year.

§ 2. That each applicant applying for the license provided for in the first section of this ordinance, shall pay into the treasury, for the use of said city, the sum of twenty-five dollars, and shall also pay, in addition thereto, one per cent. on all property sold by him during the existence of said license, which shall be paid into the treasury of said city monthly; and shall also enter into a bond to the said city of Pekin, in the penal sum of two hundred dollars, with some responsible freeholder, a resident of Tazewell county, Illinois, as security, conditioned to pay into the treasury of said city, at the end of each month after the date of his license, one per cent. on the amount of sales of property during said month; and that the said licentiate will also file with the police magistrate a full and complete statement, at the end of each month, as aforesaid, of all property sold by him during said month, and when sold; which statement shall be under the oath of said licentiate; and that he will observe all ordinances that are now in force, or which may hereafter be in force, in the said city of Pekin, regulating the duties of auctioneers; which security shall be approved by the city council.

§ 3. That any failure on the part of any person or persons or corporation having a license as aforesaid, to pay the per cent. on the sales made by him monthly, as required by the second section of this ordinance, or who shall fail to file with the police magistrate the statement required by the said second section, shall render every such license issued to said person or persons or corporation as aforesaid, null and void; *provided, further*, that no person shall be allowed to sell property at auction in pursuance of any license granted by virtue of this ordinance, unless the license is granted to the person selling.

§ 4. That no person, persons or corporation shall sell or vend any goods, wares or merchandise, real estate or other property whatever, in the limits of said city, at public auction, without first having obtained a license for that purpose in the manner provided in the second section of this ordinance; and any person or persons or corporation violating this ordinance in any manner, shall forfeit and

pay to the city of Pekin, upon conviction thereof before the police magistrate of said city, not less than five nor more than one hundred dollars.

§ 5. All ordinances or parts of ordinances in conflict with this ordinance are hereby repealed; and this ordinance shall take effect from and after its passage.

BROKERS.

AN ORDINANCE regulating loan and exchange brokers' offices.

- SEC. 1. Prohibiting dealing in exchange without license.
2. Mode of obtaining license.
3. Penalty for opening office, &c.
4. Duties of clerk and marshal.
5. License not transferable without consent of council.

Be it ordained by the city council of the city of Pekin:

SEC. 1. That it shall not be lawful for any person within the city of Pekin, to pursue and follow, as an ordinary and principal occupation, the employment and business of dealing in money or credits in any character whatever, without a license from the city council.

§ 2. That every application for a license to deal in money or credits shall be referred to a committee of three members, to examine and make report at what price said license shall be issued. The city council shall, on the report of the committee, and such other information as may be before them, fix the price of license, and make an order for issuing the same; and upon the production of the treasurer's receipt for the sum assessed on such license, with the fees of the clerk for issuing such license, he shall issue a license to the applicant for the term of one year, which shall authorize the said applicant to carry on the said occupation and employment of loan and exchange broker in said city, at the place in said license specified.

§ 3. That if any person, without first having obtained a license as herein directed, shall open a loan or broker's office, or a private bank, or shall make his private dwelling or building dependent thereto a place for dealing in money or credits; or if any person shall, in any other mode or manner, carry on the buying and selling of gold and silver coins, or bank notes, or bills of exchange or promissory notes, or written undertakings for the payment of money in any form whatever; or if any person shall open a loan office, or shall

effect loans of money or credit as part of an ordinary or principal occupation, every person so offending shall, for every day so offending, forfeit and pay not less than five nor more than ten dollars, with costs, to the city of Pekin, to be recovered as other penalties are in said city.

§ 4. The clerk of the city of Pekin shall keep a list of all the licenses issued by him under this ordinance, which shall be open to the inspection of the city marshal, and whose duty it shall be to diligently examine if any violations of this ordinance exist, and, if any, enter complaint thereof before the police magistrate without delay.

§ 5. The said license under this ordinance shall not be transferable from the place named in the license, without the express consent of the council; and a license granted to one or more individuals shall not be construed so as to authorize any other person or persons to do business under the same, at the place mentioned in the license, or at any place, either as partner of such person or persons obtaining such license, or in any other relation whatever.

CARTS, DRAYS AND WAGONS.

AN ORDINANCE to provide for licensing and regulating carts, wagons and drays.

- SEC. 1. Prohibition from running drays, carts or wagons without license.
2. Owners of drays to register number with the city clerk.
3. Rates allowed for drayage.
4. Prohibition from separating team and running two drays.

Be it ordained by the city council of the city of Pekin:

SEC. 1. That no person shall drive or run, or cause to be driven, any cart or dray or wagon, for the purpose of hauling grain, pork or other thing, to any steam, canal or other boat, to be shipped, or for hauling any grain, pork, lumber, goods, or other thing landed in said city by any steam, canal, or other kind of boat, or for hauling any water or other thing from one part of said city to another, or shall haul anything as aforesaid, or shall take, carry or convey to or from any steam, canal or other boat, or to or from any other place in said city, who shall not have obtained from the city council a license so to do, except farmers and others, who may haul with their own team or dray their own individual produce, goods or things to or from any boat, or to and from any place in said city; and every

person or persons who shall, from and after the passage of this ordinance, so take and haul any grain, pork, water or other things as aforesaid in said city, or cause the same to be done, and shall directly or indirectly charge, take or receive anything therefor, not having a license so to do, (provided that goods and other things shipped on commission, or received on commission by any person shall be deemed the goods of others,) shall, on proof thereof before the police magistrate, be fined, or forfeit and pay any sum not exceeding fifty dollars, for each and every offense committed.

§ 2. Any person or persons who may be desirous of keeping any dray, cart or wagon for the purpose of hauling anything in the city for others, may have a license so to do on payment to the treasurer of said city the sum of ten dollars for each dray, cart or wagon he may be desirous to keep, provided the dray, cart or wagon so licensed shall be recorded in the office of the clerk of the city, with the name of the owner, number of the dray, cart or wagon so licensed; and each wagon, cart or dray shall have painted in large figures on the near shaft or side, or other conspicuous place thereof, the number of said license; and should such dray, cart or wagon be traded or sold by the person owning the same, or by his authority, express or implied, the license may be so transferred also; *provided*, that the person buying shall be required to notify the clerk of the city of said transfer in two days from the date thereof; and *provided*, that a license to keep a dray, cart or wagon may authorize the person so licensed to keep one team or dray, cart or wagon, and run either, so that he does not run more than the one team at any time during the year.

§ 3. Any person who may take out a license to run a dray, cart or wagon within the limits of the city, shall be permitted to charge the following rates and no more, to wit: For each dray load to any part of the city, fifteen cents; for each load for one horse or mule wagon, fifteen cents; for each load with two horses, mules or oxen and wagon, twenty-five cents; for each load with water carts, ten cents; for each load with cart of other kind, fifteen cents; *provided*, all persons who may have taken out a license as aforesaid, shall be required to haul any goods or other things usually hauled on such dray, cart or wagon within the limits of said city, for any person or persons who may tender them the rates aforesaid in money, for so doing, except it be to haul filth or other nuisances, in which case

they may charge double of the above rates; and every drayman, cartman or wagoner, who shall refuse to haul for any person or persons on the money being tendered, who shall not then be engaged in hauling for others, or have a reasonable excuse for so refusing, shall, on complaint thereof before the police magistrate, be fined and forfeit and pay any sum not exceeding fifty dollars for each offense.

§ 4. That no person having a license to work a two-horse, mule or ox team, shall be permitted to separate said team and work them separately in drays or carts, but may work them both attached to any dray or cart; though any person having a license to run two drays may unite his two horses, mules or oxen and work to a wagon at any time; and *provided, further*, that any person may take out a license to run a two-horse wagon for three months for six dollars, and six months for eight dollars.

CARTS, DRAYS AND WAGONS.

AN ORDINANCE to amend an ordinance, entitled "An ordinance to provide for licensing and regulating carts, wagons and drays."

SEC. 1. Penalty for failure to place letters or figures on drays, &c.

2. Penalty for falsely marking drays, &c.

3. Duty of marshal to publish names monthly, &c.

Be it ordained by the city council of the city of Pekin:

SEC. 1. That if any person or persons licensed to run, or cause to be run or driven, any cart, dray or wagon, by virtue of an ordinance of the city of Pekin, entitled "An ordinance to provide for licensing and regulating carts, wagons and drays," shall fail to have painted in large letters or figures in a conspicuous place on each wagon, cart or dray so licensed, the number of said license, as required by section two of the ordinance above mentioned, shall forfeit and pay, upon conviction thereof, any sum not exceeding twenty-five dollars for each failure; to be recovered as other fines for violating city ordinances are recovered.

§ 2. If any person or persons shall falsely place, or cause to be placed, on his or her wagon, dray, cart, or other vehicle not licensed as required by said ordinance, any figures or numbers to indicate that the same has been licensed, each person or persons so offending shall be fined in any sum not exceeding twenty-five dollars.

§ 3. It shall be the duty of the city marshal to publish, every

month, the names of all persons having licenses to run or cause to be run any cart, dray or wagon, in said city, in some newspaper of said city, and arrest all persons who shall be guilty of a violation of this ordinance or the ordinance to which it is an amendment, and take them before the police magistrate, to be dealt with according to law.

DOGS.

AN ORDINANCE in relation to dogs and sluts running at large within the city of Pekin.

- SEC. 1. Dogs and sluts prohibited from running at large ; duty of owner.
2. Clerk of the city council to give certificate of registry ; treasurer to countersign.
 3. Dogs and sluts running at large to be killed.
 4. Penalty for permitting fierce dogs to run at large ; marshal to slay the same.

Be it ordained by the city council of the city of Pekin:

SEC. 1. That no dog or slut kept within the city of Pekin shall run at large within said limits, unless the owner thereof shall put upon the neck of such dog or slut a collar made of metal, or a collar having a metallic plate affixed thereto, on which the name of such owner shall be inscribed in plain letters ; and unless such owner shall also give his name and a description of such dog or slut to the city clerk, who shall register the same in a book kept for that purpose ; and the owner thereof shall, at the same time, pay to the city treasurer a tax of one dollar for each and every dog, and three dollars for each and every slut by him kept and suffered to run at large ; and shall annually thereafter register and pay the like amounts for each and every dog or slut so to be kept ; which money shall be received into the city treasury for the city ; and every dog or slut running at large contrary to the provisions of this ordinance, shall be deemed a nuisance, and the owner thereof shall, upon conviction, forfeit and pay the sum of five dollars.

§ 2. Upon the registry of such dog or slut by the owner thereof, the city clerk shall thereupon give a certificate thereof, describing the animal ; which certificate shall be in the following terms, to wit:

“I, A. B., clerk of the city council of the city of Pekin, in the county of Tazewell and state of Illinois, do hereby certify that ——— has this day registered in my office a dog, (or slut, as the case may be,) of the following description: (here describe the animal,) and has also paid into the city treasury the sum of ———. (Date, &c.)”

Which certificate shall be countersigned by the city treasurer,

and shall be evidence of the payment of the money as therein specified. At the time of issuing such certificate, the clerk shall charge the treasurer with the amount thereof.

§ 3. Every dog or slut running at large contrary to the provisions of this ordinance, shall be taken up and killed under the direction of the city marshal; and upon due proof of the slaying of such dog or slut, and that the same has been removed to some place beyond the limits of the city, being made to the satisfaction of the city clerk, he shall certify the same to the city treasurer, who shall pay the officer the sum of one dollar for each dog or slut so slain or removed; *provided*, that this ordinance shall not apply to any dog or slut brought into the city by any person not being a resident thereof, until such dog or slut shall have been in the city three days, at least.

§ 4. No person shall permit any fierce or dangerous dog to go at large within the limits of the city of Pekin; and every person so offending shall, on conviction, forfeit and pay the sum of five dollars for the first offense; and if any person shall a second time be convicted of permitting the same fierce and dangerous dog to run at large, such person shall forfeit and pay the sum of twenty-five dollars; and it shall be the duty of the city marshal to cause the said dog to be slain or removed without the limits of the city.

DOGS.

AN ORDINANCE supplemental to an ordinance, entitled "An ordinance in relation to dogs and sluts running at large within the city of Pekin.

- SEC. 1. Owners required to muzzle dogs.
2. Penalty for neglect.
3. Reference to former ordinance.

Be it ordained by the city council of the city of Pekin:

SEC. 1. That, in addition to the requirements of the ordinance to which this is supplemental, no dog or slut kept within the limits of the city of Pekin shall be allowed to run at large within said city, unless the owner thereof shall put upon the head of such dog or slut a good and sufficient muzzle, to prevent such dog or slut from biting.

§ 2. Any dog or slut found running at large within said city limits, and within the time in section one (1) stated, without such muzzle, shall be deemed a nuisance; and the owner thereof shall,

upon conviction of a breach of this ordinance, be fined in any sum not more than one hundred dollars nor less than one dollar, and costs of suit.

§ 3. Every dog or slut found running at large contrary to the provisions of this ordinance, shall be dealt with in the same manner as is provided in section three (3) of the ordinance to which this is supplemental.

§ 4. This ordinance to be in force from and after its publication..

LICENSES—PEDDLERS, &c.

AN ORDINANCE relative to granting licenses for various purposes therein mentioned.

- SEC. 1. Peddlers and showmen to obtain license.
2. Application for license to city council.
 3. In vacation, application made to clerk.
 4. Clerk to keep record of licenses and permits granted.
 5. Penalty for violating the provisions of this ordinance.

Be it ordained by the city council of the city of Pekin :

SEC. 1. That peddlers and all persons, before they exhibit any theatrical or other show, performance or amusement for profit or gain, in the city of Pekin, shall be required to obtain license for that purpose from the city council of the city of Pekin, or from the clerk thereof, if in vacation of said council, as is hereinafter directed; which license shall be granted by the city council and signed by the mayor, and in his absence by the president pro tem., and attested by the clerk thereof under the seal of said city; and which license, when so granted, shall authorize the person or persons to whom the same is granted to pursue any and all pursuits named therein, for any period of time not exceeding one year, to be limited and set forth in said license.

§ 2. That whenever any person or persons shall apply to the city council for a license for any of the purposes aforesaid, the city council shall determine and fix the price that shall be paid by the applicant; *provided*, that the same shall not be less than three nor more than one hundred dollars.

§ 3. That if, during the time between the meeting of the city council, any person or persons shall apply to the clerk of the city council for a license for any such purpose, to be commenced immediately, and before the meeting of the city council, the said clerk

may grant a license or permit to such person or persons, to do, perform or exhibit, as requested, until the next meeting of the said council, upon the payment, in advance, of the sum of not less than three dollars nor more than one hundred dollars for each and every day for such license or permit, which sum so paid to the clerk shall be by him paid to the treasurer, and take his duplicate receipt therefor, one of which he shall produce at the next meeting of the said council, with a report of his doings in the premises; and if the license be desired for a longer time, the said council shall act thereon as in other cases.

§ 4. The clerk of the city council shall be required to enter, in a book provided for that purpose, a true and correct account of all licenses and permits granted, the date, the price paid, the time for which they are granted, and for what purpose; and for such services he shall be entitled to receive such sum as shall be provided by ordinance therefor, to be paid by the applicant or applicants, in addition to the sum fixed by the city council or by said clerk.

§ 5. That if any person or persons, company, body politic or corporate, shall peddle any goods or merchandise, or if any person or persons, company, body politic or corporate, shall keep and exhibit any theatrical or other exhibition, or public performance, or public exhibition, for profit or gain, within the city of Pekin, without having obtained a license therefor, in pursuance of this ordinance, such person or persons, body politic or corporate, shall forfeit and pay to the city of Pekin, for each and every such offense, a fine of not less than ten dollars nor more than one hundred dollars, with costs of prosecution; and it is made the duty of the city marshal to see that the provisions of this ordinance are strictly enforced, by entering complaint before the police magistrate of said city of Pekin, upon knowledge of its violation.

LUMBER AND OTHER MERCHANDISE.

AN ORDINANCE licensing the sale of lumber and other merchandise in the city of Pekin.

- SEC. 1. Persons not permitted to sell goods without license; penalty for so doing.
2. How license obtained; what persons must procure the same.
 3. Clerk to make out license; by whom signed.

Be it ordained by the city council of the city of Pekin:

SEC. 1. That it shall not be lawful for any person to enter into

the business of selling, within the limits of said city, any goods, lumber, or merchandise of any kind whatever, from any canal or other boat, or in any store or place within said city, without first having obtained a license so to do, as hereinafter provided. Any person violating the provisions of this ordinance shall forfeit and pay a sum of not less than five nor more than fifty dollars for each and every offense.

§ 2. Any person desirous of entering into the business of selling goods, lumber and merchandise of any kind whatever, within the limits of said city, at any time after the annual assessment shall have been made out on personal property, shall make application for a license so to do to the city council, if the same be in session; if not in session then to the mayor; and a license may be granted by him on condition that the applicant pay into the city treasury a sum not less than three nor more than fifty dollars; which sum shall be in lieu of city taxes on personal property from the time said license may be granted until the next annual assessment thereafter shall be made, when the stock or capital employed by the person obtaining said license shall be assessed as other personal property now is or may hereafter be assessed; *provided*, that the owner or agent of any canal or other boat from which lumber or other goods may be sold, shall also apply for a license, and shall pay into the treasury a sum not less than three nor more than fifty dollars for each and every load or part of a load so sold; and *provided, further*, said license shall not extend over ten days.

§ 3. All licenses issued under this ordinance shall be made out by the clerk of the city and signed by the mayor, under the seal of the city of Pekin, upon the applicant filing with the city clerk the treasurer's receipt for the amount required to be paid for such license; and the clerk shall charge the amount to the city treasury.

KEEPERS OF BILLIARDS.

AN ORDINANCE to provide for licensing and regulating keepers of billiard tables, nine or ten-pin alleys, shuffle boards, bagatelle tables.

- SEC. 1. Prohibition of keeping billiard tables, &c.
2. Rate of license for each applicant.
3. Power to reject or grant application.
4. Applicants to state to the council for what purpose they wish it.
5. Licenses signed by the mayor and attested by the clerk, and not transferable.
6. Bonds to be given, &c.
7. Keepers of billiard tables and others not to keep open after ten o'clock.
8. Penalty for violation of ordinance.
9. Suits brought for penalty ; before whom.

Be it ordained by the city council of the city of Pekin :

SEC. 1. That it shall not be lawful for any person or persons within the city of Pekin to exercise the business, trade or avocation of a keeper of a billiard table, keeper of a nine or ten-pin alley, shuffle board, keeper of a bagatelle table, within the meaning and provisions of this ordinance as hereinafter mentioned, without first having obtained a license and paid the tax thereon in the manner hereinafter described.

§ 2. That before any license shall be granted for any of the purposes and objects specified in the preceding section, the applicant or applicants for the same shall pay annually to the city treasurer the following sums per annum, together with the clerk's fees : First, for every billiard table, the sum of twenty-five dollars ; for every nine or ten-pin alley, the sum of twenty-five dollars ; for every shuffle board and bagatelle table, the sum of twenty-five dollars.

§ 3. Upon all applications for a license under the provisions of this ordinance, the city council may grant or reject the same, at their discretion.

§ 4. That when any person or persons shall apply for a license under this ordinance, they shall state in writing for what purpose they desire the same ; and if for the keeping of a billiard table, bagatelle table, shuffle board, or nine or ten-pin alley, they shall particularly describe the house or building to be used, and where situated, and shall accompany the said application with the treasurer's receipt for the amount of license charged therefor, together with the clerk's fees for issuing such license.

§ 5. That every license given under this ordinance shall be signed by the mayor and attested by the clerk of the city council, and shall

have the seal of the city attached thereto, and it shall be granted for the term of one year, and shall designate the street, lane or alley wherein such licensed person or persons shall exercise his or their employment; and no license granted under this ordinance shall authorize the holder thereof to exercise the said employment in any other place than designated in such license; and they shall not be assignable or transferable to any other person.

§ 6. Before giving a license under this ordinance to any keeper of a billiard table, nine or ten-pin alley, shuffle board or bagatelle table, the applicant or applicants shall execute a bond in the penal sum of two hundred dollars, with security, conditioned that the person to whom such license is granted shall observe all laws and ordinances that may be in force regulating or relative to their respective business; which bond shall be approved by the city council and filed by the clerk before issuing said license.

§ 7. If any keeper or keepers of a billiard table, nine or ten-pin alley, shuffle board or bagatelle table, shall keep open his, her or their room or place of business at a later hour than ten o'clock in the evening, or permit any person or persons to frequent the same on Sundays, or permit any minor or minors under the age of eighteen years to frequent the same on any day or night, the offender or offenders shall forfeit and pay to the city of Pekin, for each and every offense, a sum not less than ten nor more than fifty dollars, together with costs of suit.

§ 8. If any person or persons shall violate the first section of this ordinance by exercising the business or avocation therein specified, without first being duly licensed to exercise the same, he, she or they shall forfeit and pay, for each and every offense, the sum of not less than ten or more than one hundred dollars, together with the costs.

§ 9. All suits for the violation of this ordinance may be brought and prosecuted before the police magistrate in the city of Pekin; and it is made the duty of the city marshal to see that the provisions hereof are strictly observed and enforced.

SPIRITUOUS AND MALT LIQUORS.

AN ORDINANCE, entitled "An ordinance for licensing the vending, by retail, of spirituous and malt liquors."

- SEC. 1. Licenses may be granted; on what conditions.
2. License not to authorize sale of liquors in more than one place.
3. Penalty for selling without license.
4. Penalty for keeping disorderly house, selling liquors on the Sabbath, &c.
5. Licenses to be for one year, and not assignable.
6. How forfeitures and penalties may be recovered.
7. Druggists allowed to sell liquor, &c.
8. Ordinances repealed, &c.

Be it ordained by the city council of the city of Pekin:

SEC. 1. That from and after the passage of this ordinance, the city council may grant licenses to any person or persons to retail vinous, spirituous and malt liquors, in said city, by less quantities than one gallon, on the following conditions, to wit: The applicant or applicants shall set forth in writing the building, room or place intended to be occupied by him or them, and pay to the treasurer of the city of Pekin, for the license granted, the sum of one hundred dollars, and shall execute a bond to the city of Pekin, with one or more securities, to be approved by the city council, conditioned that the applicant or applicants will keep an orderly house; that he or they will not permit any unlawful gaming or riotous conduct therein; that he or they will not keep open, or permit his or their grocery to be kept open, or sell therein any spirituous, vinous or malt liquors, on the Sabbath day, or after eleven o'clock at night; and that he or they will observe all laws and ordinances now in force, or that may hereafter be in force, regulating the sale of vinous, spirituous or malt liquors.

§ 2. Licenses granted to keep groceries or sell beer, shall not authorize the person or persons obtaining the license to vend or sell vinous, spirituous or malt liquors in more than one place, or one house; and every license shall describe the house and place intended to be occupied; and each license shall also contain a condition that any violation of this ordinance, by the person or persons to whom the license is granted, shall cause an immediate forfeiture of all rights and privileges granted by said license, which shall, from and after a conviction of the party or parties for a violation of this ordinance, be absolutely void; and all parties therein named shall thereafter be alike liable as though no license had ever been granted.

§ 3. Every person or company of persons not having a legal license to keep a grocery, or sell beer, who shall barter, sell, or exchange, or otherwise dispose of, for his gain or benefit, any vinous, spirituous, mixed or malt liquors, in less quantity than one gallon, within said city, to any person or persons whatever, or shall permit the same to be done on his or their premises, or elsewhere, for his or their gain or benefit, shall forfeit and pay to said city not less than ten and not exceeding twenty-five dollars for each offense, together with the cost of suit.

§ 4. From and after the passage of this ordinance, no person or persons shall keep a common, ill-governed and disorderly house, or permit unlawful gaming or riotous or disorderly conduct therein; or keep open his or their grocery or beer house, or permit the same to be kept open, or spirituous or malt liquor to be sold therein, or given away, on the Sabbath day, or after eleven o'clock in the evening of any day in the week; or shall sell or give any vinous, spirituous or malt liquors (in the absence of their parents or guardians) to any person or persons under eighteen years of age, or permit any person or persons under eighteen years of age to loiter about or frequent his or their grocery or beer house; and any person or persons who shall violate any of the provisions of this ordinance, shall forfeit and pay to said city the sum of not less than ten or more than twenty-five dollars, and cost of suit.

§ 5. All licenses granted under this ordinance shall be signed by the mayor, countersigned by the clerk, and have the seal of the city affixed thereto, and shall be for the term of one year only, and at a specified place, and not to be assignable; and in all cases of application for license to keep grocery or sell beer, by less quantity than one gallon, the city council may grant or reject the same at their discretion.

§ 6. All forfeitures and penalties incurred under this ordinance, may be prosecuted for and recovered by action of debt or otherwise, before the police magistrate of the city of Pekin, on information under oath, as in other cases; *provided*, the officers of the city shall in no case be required to file information except on their personal knowledge; and any person knowing of, or having good reason to believe there has been a violation of ordinance of the city by any person whomsoever, shall give immediate information thereof to the police magistrate, in due form.

§ 7. That nothing in this ordinance shall be so construed as to prevent druggists from selling spirituous or vinous liquors, in good faith, for medical purposes, in quantities less than one gallon.

§ 8. All ordinances and parts of ordinances, coming in conflict with this ordinance, shall be and the same are hereby repealed; and from and after the passage of this ordinance, it shall not be unlawful to keep, store, sell or give away, any vinous, spirituous or malt liquors, in greater quantities than one gallon, for any purpose, by any person or at any place in the city of Pekin, belonging to or in possession of the person so keeping or trafficking in said spirituous liquors. *And provided, further,* that nothing herein contained shall in any way affect any action, prosecution, suit or proceeding now pending, by virtue of any ordinance, in said city against any person or persons whatever.

GROCERIES, TIPLING HOUSES, &C.

AN ORDINANCE to regulate groceries, tippling-houses, dram-shops and beer-houses in the city of Pekin.

- SEC. 1. Prohibition against selling or giving away liquor on certain days; penalty for violation.
2. Marshal required to enforce this ordinance; penalty for failure to do his duty.

Be it ordained by the city council of the city of Pekin:

SEC. 1. That it shall not be lawful for any grocery keeper, beer-house keeper, tippling house or dram-shop keeper, within the city of Pekin, whether licensed or not, nor any other person or persons within said city, who shall be engaged in or carry on the business of selling, bartering or giving away any spirituous, vinous, malt, fermented, mixed or intoxicating liquors, to keep open, or suffer or permit to be kept open, within said city, his, her or their grocery, beer-house, dram-shop or tippling-house, or sell, barter, exchange or give away, or suffer to be sold, bartered, exchanged or given away, within said city, any spirituous, vinous, mixed, fermented, malt or intoxicating liquors, in any quantity whatever, on any day appointed by the laws of the state of Illinois for general election, nor on the fourth day of July of any year. And any person or persons violating this ordinance shall be deemed guilty of a misdemeanor, and, upon conviction thereof, shall be fined in any sum not less than five dollars nor more than one hundred dollars, to be recovered before

the police magistrate of said city, as other fines for violating city ordinances are sued for and recovered.

§ 2. That it shall be the duty of the city marshal to see that this ordinance is enforced, and to close up any and all groceries, beer-shops, tippling-houses or dram-shops that may be suffered or permitted to remain open on any of the above-mentioned days, after the publication of this ordinance, and to arrest all and any person or persons who shall violate or attempt to violate this ordinance, and take them before the police magistrate of said city, to be dealt with according to law. And if the city marshal shall fail to perform the duty imposed upon him by this ordinance, he shall be subject to a fine of not less than ten nor more than one hundred dollars.

PUBLIC WELLS.

AN ORDINANCE in relation to public wells in the city of Pekin.

- SEC. 1. Certain animals not to be watered at public wells.
2. Watering animals at such wells declared a nuisance.
3. Penalty for violation of this ordinance.
4. Duty of the marshal.
5. Duty of police magistrate.

Be it ordained by the city council of the city of Pekin:

SEC. 1. That no person or persons whatever, shall hereafter be permitted to water any horse, mare, mule, ass or head of neat cattle, at any of the public wells within the limits of the city of Pekin.

§ 2. That watering any horse, mare, mule, ass or head of neat cattle, by any person or persons whatever, at any of the public wells within the limits of the said city, shall be deemed, and the same is hereby declared to be a public nuisance.

§ 3. That any person or persons who shall, at any time, water any horse, mare, mule, ass or head of neat cattle, at any of the public wells within the limits of the said city of Pekin, shall be deemed guilty of a nuisance, and, upon conviction thereof, shall forfeit and pay any sum not exceeding ten dollars nor less than one dollar.

§ 4. That it shall be the duty of the city marshal of the said city of Pekin, to give information to the police magistrate of said city of all breaches of this ordinance that shall be committed within his own personal knowledge.

§ 5. That upon complaint or information made before the police

magistrate of said city by the marshal of said city as aforesaid, or upon complaint made by any other person or persons to the said police magistrate, the said police magistrate shall proceed thereupon in accordance with an ordinance of the said city of Pekin, entitled "An ordinance providing for the recovery and appropriation of fines and forfeitures, and the enforcement of penalties in the city of Pekin."

CITY BONDS.

AN ORDINANCE in relation to issuing city bonds.

WHEREAS, On the 20th day of September, 1856, a resolution was passed by the city council of the city of Pekin, authorizing a vote to be taken by the qualified voters of the said city of Pekin for or against the said city subscribing the sum of one hundred thousand dollars to the capital stock of the Illinois River Railroad Company, in pursuance and by authority of an act of the general assembly of the state of Illinois, entitled "An act supplemental to an act to provide for a general system of railroad incorporations," approved November 6th, 1849; and an act of the general assembly of said state, entitled "An act to facilitate the construction of said road," approved March 1st, 1854; and which said resolution in the words following, to wit:

"Resolved, That there be an election held by the qualified voters of the city of Pekin, on the 23d day of October next, for the purpose of deciding for or against said city subscribing the sum of one hundred thousand dollars to the capital stock of the 'Illinois River Railroad Company;' and that the clerk of the city be required to give thirty days' notice of the time and of the usual places of holding elections as required by law.

"And be it further resolved, That the bonds of the city, to the amount of one hundred thousand dollars, to pay said subscription to said capital stock, redeemable in twenty years from date, bearing interest at the rate of eight per cent. per annum, payable semi-annually at the American Exchange bank, in the city of New York, in amounts not exceeding one thousand dollars each, be issued therefor; *provided,* that the majority of the voters shall decide in favor of the subscription, and that the same shall be substantially set forth in such notice of election by said clerk."

And whereas, also, it appears by the returns of said election duly made in pursuance of the laws of the state of Illinois and the ordinances of said city, that such majority as the above recited acts required had voted in favor of the said city of Pekin subscribing one hundred thousand dollars to the capital stock of the said "Illinois River Railroad Company;" and

Whereas, also, by a resolution of the said city council of the said city of Pekin, passed October 23d, 1856, the clerk of said city was authorized to subscribe the sum of one hundred thousand dollars to the capital stock of said company, on behalf and in the name of said city, which resolution is in the words following, to wit:

"Whereas, at an election held this day, in the city of Pekin, by the qualified voters of said city, to vote for or against the city of Pekin subscribing one hundred thousand dollars to the capital stock of the 'Illinois River Railroad Company,' it having appeared by the returns made to the city council of said city, that the number of legal votes polled at the said election exceeds the number polled at the last general election in said city, and a very large majority of all the votes polled were given for the subscription to the said capital stock of said railroad company: Now, therefore, be it

Resolved, That the clerk of said city be and is hereby authorized, on behalf of said city, to subscribe, in the name and in behalf of the city of Pekin, the sum of one hundred thousand dollars to the capital stock of the Illinois River Railroad Company." October 23, 1856.

And which subscription was, on the 23d day of October, 1856, duly made by the said clerk, in pursuance of said resolution.

And whereas, the said Illinois River Railroad Company has duly called on all the subscribers to said capital stock for five per cent. of their subscription, and required the payment thereof to the treasurer of said company, and has also duly requested said city to issue her bonds for said capital stock subscribed for by said city council of the city of Pekin;

It is ordained, That the mayor of said city be and is hereby authorized and directed to issue to the said Illinois River Railroad Company the bonds of the said city to the amount of one hundred thousand dollars, payable twenty years after date, with interest at the rate of eight per cent. per annum, payable semi-annually at the American Exchange bank in New York city, under the provisions

of the above recited acts, and deliver the same to the said railroad company, and receive therefor certificates of stock of said company for the city.

COSTS.

AN ORDINANCE regulating costs in suits brought for violating ordinances of the city of Pekin.

- SEC. 1. May be given against complainant or prosecutor.
 2. May refuse to issue process until fees are advanced.

Be it ordained by the city council of the city of Pekin :

SEC. 1. That in all cases where suits and prosecutions are commenced before the police magistrate in said city of Pekin, upon complaint of the city marshal, or of any other person, upon the trial of which it shall appear to such court or jury, (if one be called,) that the prosecutor acted maliciously, or without any probable cause, judgment shall be entered by such court against such complainant or prosecutor for all costs incurred in the said trial, and execution shall forthwith be issued thereon against said complainant or prosecutor as in other cases.

§ 2. Whenever complaint is made to the police magistrate by any person, for an alleged breach of any city ordinance, and the police magistrate shall have reason to suspect the complainant to be actuated by malice, or any other improper motive, he may refuse to issue any process until said complainant shall deposit with him a sufficient sum of money to pay all costs that may accrue thereon, if upon trial of said complaint it shall appear that the complaint was made of malice, or any other improper motive.

FINES, FORFEITURES AND PENALTIES.

AN ORDINANCE providing for the recovery and appropriation of fines and forfeitures, and the enforcement of penalties in the city of Pekin.

- SEC. 1. Suits, &c., how commenced, and before whom.
 2. Complaints, how and by whom made; duty of police magistrate.
 3. How officer shall execute process; how issued.
 4. Who may be witnesses.
 5. Defendant may have a jury.
 6. Fees of jurors and witnesses.
 7. Cost to be taxed.
 8. Fees of police magistrate and marshal.
 9. Marshal to notify city attorney.
 10. Fines, forfeitures, &c., to whom paid.

Be it ordained by the city council of the city of Pekin :

SEC. 1. That all suits, actions or prosecutions brought for the

recovery of any fine, forfeiture or penalty for a breach or violation of any ordinance, now or hereafter to be in force in the city of Pekin, shall be commenced by complaint briefly setting forth the breach of any ordinance; and such complaint shall be in the following form, as near as may be, to wit:

STATE OF ILLINOIS, } ss.
COUNTY OF TAZEWELL, CITY OF PEKIN, }

I, A. B., city marshal, (or other city officer,) by way of complaint to the police magistrate of the city of Pekin, state that C. D. has been guilty of a breach of an ordinance of said city, entitled (here insert the title of the ordinance) by (here describe the particular breach of ordinance) in the city of Pekin, between the _____ day of _____, A. D. 18____, and the _____ day of _____, A. D. 18____.

A. B., *City Marshal*.

City of Pekin, _____, A. D. 18 ____.

Which said form shall and may be so varied as to apply to the nature of the offense or breach, or time, place, number of persons joined in action on suit, &c., as the occasion and the right and justice of the case may require, without regard to the particular form of words; and no objection to form or words shall be allowed, if such written complaint shall substantially set out the nature of the offense charged, so as to give notice to the defendant of the nature of the charge which he is called upon to answer.

§ 2. That if such complaint be made by any city officer, the same shall be presented to the police magistrate in writing; and if made by any other person, the same shall be verified by affidavit in the usual way of making complaint on oath; and the said police magistrate shall thereupon, provided the offender has not been arrested, issue his warrant, reciting therein the title of the ordinance and the breach thereof, as set forth in the complaint or affidavit; which warrant shall be directed to the city marshal, or any constable of Tazewell county, for the apprehension of the person described therein, returnable forthwith; and the said police magistrate, upon the appearance of the offender, shall proceed immediately with the examination, and, upon conviction, shall issue execution against the goods and chattels of the defendant; and if such execution shall be returned, no property found, the said police magistrate shall issue a *ca. sa.* against the body of the defendant, and the marshal or other officer shall arrest and commit him to the city prison or the jail of Tazewell county, there to remain forty-eight hours; and if the fine exceed five dollars, then to remain in said prison or jail twenty-four hours for every two dollars over and above the said five dollars, and so on in proportion to the amount of said fine; and in all cases

where any person shall be convicted of the breach of any ordinance of said city, the police magistrate shall give judgment that the offender shall pay the costs of prosecution; *provided*, that after the return of the execution, no property found, and before the issuing of the ca. sa., the police magistrate shall have power to issue garnishee process, and collect the amount of said judgment in the same manner that justices of the peace are authorized to do by the laws of this state.

§ 3. That the officer who shall execute any writ or other process issued by the police magistrate, shall, unless otherwise directed by this or some other ordinance of said city, proceed in the execution of this duty in the same manner as constables are required to proceed under the laws of this state; and the police magistrate, in issuing process, and on the return thereof, shall, unless otherwise directed by this or some other ordinance of said city, be governed by the laws of this state appertaining to like proceedings before justices of the peace.

§ 4. That in all prosecutions in behalf of said city, any officer thereof is hereby made a competent witness, notwithstanding such officer may be entitled to a portion of the fine, forfeiture or penalty sued for, or to a fee for the same.

§ 5. That any person who shall be accused of having committed a breach of any ordinance, now or hereafter to be in force in the city of Pekin, may have the cause tried by a jury of six lawful men, and, if he shall insist, by a full jury of twelve men, who shall be summoned to try the cause; and if the jury find the accused guilty, they shall assess and state the amount of the fine, upon which the police magistrate shall give judgment for fine and costs, and proceed to collect the same as in other cases.

§ 6. All jurors and witnesses shall be entitled to and receive the same fees as are now provided by laws of this state in suits before justices of the peace; and the person requiring the jury shall advance the jury fees before issuing the venire.

§ 7. That the police magistrate shall tax as part of the costs all fees due any keeper of a prison, or jailor, under and by virtue of this or any other ordinance of said city, and shall also tax as costs the sum of one dollar and fifty cents for every conviction had before him, as a fee for the city attorney, to be paid to said city attorney only when collected from the party convicted.

§ 8. That the police magistrate and marshal shall be entitled to the same fees, in all cases arising under the ordinances of said city, as are now allowed to justices of the peace and constables in criminal cases by the laws of this state; and when the person so convicted is unable to pay the said fees, the same shall be paid out of the city treasury, unless some special agreement in relation to costs shall be made by the city council.

§ 9. It shall be the duty of the police magistrate, through the city marshal, to inform the city attorney of any and all complaints or affidavits made before him for the violation of any ordinance of said city.

§ 10. All fines, forfeitures and penalties imposed by virtue of any ordinance of said city, now in force or hereafter to be in force, for a breach of the same, shall, when collected, be immediately paid over by the police magistrate, marshal, or other person who shall collect the same, to the city treasurer, for the use of said city, and shall form part of the revenue thereof.

FINES, FORFEITURES AND PENALTIES.

AN ORDINANCE to amend an ordinance, entitled "An ordinance providing for the recovery and appropriation of fines and forfeitures, and the enforcement of penalties in the city of Pekin."

Be it ordained by the city council of the city of Pekin:

SEC. 1. That every person against whom a judgment may hereafter be recovered in favor of said city, as a penalty or fine imposed for a breach of any ordinance of said city, who shall fail or neglect to pay the same immediately, with all costs arising thereon, and who shall have no property known to the city marshal from which the money can be made, instead of being committed to the jail, may be required by the police magistrate to labor on the streets of said city under the direction of the city marshal, at the rate of one dollar per day, until the whole amount of the judgment, fine or penalty, and all costs arising thereon, are paid; and every person who shall refuse or neglect to work, as above required, until his fine and costs are paid, shall be returned to the county jail and placed in a solitary cell, and fed on bread and water until he shall consent to work on said streets, or until his debt is extinguished by confinement, at fifty cents per day; and all those who attempt to escape from the marshal shall be securely fastened by a sufficient ball and chain, and

compelled by the city marshal to labor on said streets until his fine, judgment or penalty as aforesaid shall be fully paid; and any person against whom any judgment, fine or penalty shall be recovered by said city, as above mentioned, and who shall be compelled to work upon the streets to pay the same, shall, while so working on the streets, every night be placed by the city marshal in the jail of Tazewell county, there to be kept until the following morning; and in like manner shall be placed in jail every night, until he shall have worked a sufficient time to fully pay whatever judgment, fine or penalty, and all costs, which may have been recovered against him as aforesaid, unless good security for his appearance on each morning is given. And when the same shall be worked out upon the streets, as aforesaid, the said defendant shall be discharged by the city marshal, who shall return the same as satisfied by labor on the streets, and the city shall pay the officers their fees.

MISDEMEANORS, NUISANCES AND POLICE.

AN ORDINANCE in relation to certain misdemeanors, nuisances and police in the city of Pekin.

- SEC. 1. Various offenses, and penalty.
2. Penalty for permitting same in house.
 3. Urging dogs to fight; penalty.
 4. Working on Sunday; penalty.
 5. Drunkenness, penalty for.
 6. Disturbing religious worship.
 7. Disturbing lawful assemblages; penalty.
 8. Bathing in city, penalty for.
 9. Bawdy houses, who deemed keeper; penalty.
 10. Lewd behavior; lewd pictures, and penalty.
 11. Gaming, &c., punishment for.
 12. Discharging fire-arms prohibited.
 13. Fire on streets prohibited.
 14. Hitching horses to shade trees, penalty for.
 15. Penalty for leaving horses, &c., standing on side-walks.
 16. Horses must be tied; must have a driver; penalty.
 17. Driving, &c., violently through the city; penalty.
 18. Teams not to obstruct streets or crossings; penalty.
 19. Horses, indecent exhibition of; penalty.
 20. Lumber, coal, &c., not to be placed on streets; penalty; exception.
 21. Building houses on streets; penalty.
 22. Vaults, cellar doors, &c.; penalty for leaving same open.
 23. Minors, how punished.
 24. Resisting marshal, penalty for.
 25. Breach of the peace; duty of marshal.
 26. Marshal may arrest; penalty for refusing to aid marshal.
 27. When arrested after certain hours, how disposed of.

Be it ordained by the city council of the city of Pekin:

SEC. 1. That if any person or persons shall, within the city of

Pekin, maliciously or wilfully disturb the peace or quiet of any street, avenue, lane, alley or neighborhood, or any family or person, by loud and unusual noises, by blowing horns, trumpets, or other instruments or engines; by the beating of drums, tamborines, kettles, pans, or other sounding vessels, or by loud and boisterous laughing, singing, bellowing, howling and screaming; by using or uttering obscene language or conversation; by making false alarms by crying fire, or any other device or means whatever, so as to disturb the peace; or shall be guilty of any cruelty, beating or abusing of any animal; or tumultuous or offensive carriage, by swearing, threatening, quarreling, scolding, hallooing, cursing, challenging, assaulting, striking or fighting, under any pretense whatever, every such offender shall be deemed guilty of a breach of this ordinance, and, upon conviction thereof, shall forfeit and pay any sum not exceeding one hundred dollars, nor less than five.

§ 2. Any person or persons permitting any disturbances as described in the foregoing section, upon any premises owned, occupied or possessed by him or her, shall, upon conviction thereof, forfeit and pay the sum of ten dollars for the first offense, and fifty dollars for each subsequent offense.

§ 3. If any person or persons shall be present at any dog fight, when the animals meet accidentally, and shall, by any gesture or words of encouragement, urge the dogs to fight, or if any person or persons shall, by agreement, set their dogs to fighting, he or they shall be deemed guilty of a misdemeanor, and, upon the conviction thereof, shall forfeit and pay a sum of not less than five nor more than fifty dollars for each and every offense; and it is hereby made the duty of the city marshal to suppress all dog fights, and arrest and carry before the police magistrate all persons engaged in urging the said dogs to fight, or in any manner encouraging them to fight, within the meaning and provisions of this section.

§ 4. Whoever shall be guilty of any noise, work or amusement within the limits of said city on the first day of the week, commonly called Sunday, whereby the peace of any private family may be disturbed, such person so offending shall be deemed guilty of a misdemeanor and a breach of this ordinance, and, upon conviction thereof, shall be fined in any sum not exceeding twenty-five dollars nor less than one dollar.

§ 5. Every person who shall be found drunk or intoxicated in

any street, alley or public place in the city of Pekin, or in any private place or house, without the assent of the occupant, or found asleep in any such place, shall, on conviction thereof, be fined for each and every offense a sum of not less than three nor more than twenty dollars; and whenever any such person or persons shall be arrested by any of the city officers whilst intoxicated, the said officer shall commit the offender to jail, or some place of confinement in the city, there to remain until he or she shall become sober, when it shall be the duty of such officer to carry such offender before the police magistrate in said city, to be dealt with according to law and the ordinances of said city.

§ 6. Whoever shall, within the limits of said city, disquiet or disturb any congregation or assembly met for religious worship, by making a noise, or by any rude, indecent or ungentlemanly behavior, or profane discourse, within their place of worship, or so near the same as to disturb the order or solemnity of the meeting, shall be deemed guilty of a misdemeanor, and, upon conviction thereof, shall be fined in any sum not exceeding one hundred dollars, nor less than ten.

§ 7. Whoever shall, in said city, disturb or disquiet any lawful assemblage or association of people, by rude and indecent behavior or otherwise, shall be deemed guilty of a misdemeanor, and fined in a sum not exceeding one hundred dollars nor less than ten dollars.

§ 8. If any person, for the purpose of bathing or otherwise, shall, in the day time or during twilight, by divesting himself of his apparel or otherwise, expose his naked person within the limits of the city of Pekin, he shall, upon conviction thereof, pay a sum of not less than three nor more than twenty dollars.

§ 9. Every person who shall keep, within the city of Pekin, a bawdy house, or house of ill fame, or a house of assignation, or any other building or place where indecent or lewd practices are done or permitted, he, she or they so offending shall pay a sum of not more than one hundred nor less than twenty dollars; and every person who is harbored or stays in such a house or place shall be presumed to be keeper of the same, and liable to a prosecution and the penalty in this section contained.

§ 10. Whoever shall, in said city, appear in any public place in a state of nudity, or in a dress not belonging to his or her sex, or in any indecent and lewd dress, or shall make an indecent exposure of

his or her person, or be guilty of any indecent or lewd acts or behavior, or shall exhibit, sell or offer to sell or dispose of, in any manner, any indecent or lewd book or picture, or other thing, or shall exhibit or perform any indecent, immoral or lewd play or other representation, shall be deemed guilty of a misdemeanor, and, upon conviction thereof, shall, for each and every offense, be fined in any sum not exceeding one hundred dollars nor less than ten dollars.

§ 11. Whoever shall, in said city, set up and keep any gaming house, table, room, alley, or place whatsoever, or any gambling device, either by himself, servant, or other agent, at which any game of chance shall be played for money or property, or for anything representing money or property, or shall suffer any such house, table, room, alley, place or gambling device, at which any game of chance is played, to be set up or used in or about any tenement in his possession or under his control, for the purpose of gain or profit, shall be deemed guilty of a misdemeanor, and, upon conviction thereof, shall be fined in the sum of fifty dollars for each and every offense, and for each and every game of chance played in or upon any such house, table, room, alley or place, or gambling device; and if a grocery keeper, shall forfeit his license, and shall not be again licensed as a grocery keeper for one year from such conviction.

§ 12. No person or persons shall, within the limits of the city of Pekin, fire or discharge any cannon, musket, rifle, fowling piece or other fire-arm, or air-gun, except it is done in cases of necessity, or in performance of a public act or lawful duty, or discharge or set off any crackers, rocket, torpedo, squib or other fire-works, within the limits of said city, without permission first obtained from the mayor; every person so offending shall, on conviction thereof, forfeit and pay any sum not exceeding twenty dollars nor less than three dollars.

§ 13. No person shall, in any of the streets, lanes, avenues or alleys of the said city, or upon the public square therein, make or kindle any fires without first having obtained permission as provided in the preceding section; and every person so offending shall, on conviction thereof, forfeit and pay not exceeding ten dollars nor less than one dollar for each offense.

§ 14. Any person who shall hitch, fasten or tie any horse, mule, ass or cattle to any shade tree growing on any of the side-walks of the city of Pekin, or to any boxing placed around said tree, or shall in any manner deface the fence around the public squares in said

city, or shall break or destroy any property belonging to said city, shall, on conviction thereof, be fined in a sum not exceeding twenty dollars, nor less than five dollars.

§ 15. Any person who shall place, fasten or leave standing, any horse, mare, gelding, ox, mule or ass, on any paved or improved side-walk within the city of Pekin, shall, on conviction thereof, be fined one dollar for each and every offense.

§ 16. No person shall leave standing, unfastened, in the city of Pekin, any horse, mare, gelding, ox, mule or ass, or any team of either, in harness or attached to any wagon, sled, carriage, dray, cart, or other vehicle, so that the same may be liable to run away; nor shall any person cause, suffer or allow any of the same to pass through any street or alley within the limits of the city without a suitable driver; every person so offending shall, on conviction thereof, be fined in any sum not more than ten dollars and not less than three dollars for each and every such offense.

§ 17. Any person who shall ride or drive any horse, mare, mule or gelding, or any other beast of burthen, violently through or along any street, lane or alley in the city of Pekin, so as to endanger the safety of any person, or suffer any horse, mare, mule or gelding, or any beast of burthen, to travel or run at a gait faster than an ordinary or moderate trot or pace, in, upon or over any street, lane or alley in said city, shall, upon conviction thereof, forfeit and pay the sum of five dollars for each offense.

§ 18. That no driver of any team shall stop the same in any street, lane or alley in such a manner as to prevent other teams from passing at all times, unless in case of absolute necessity; or to stop their teams at the regular crossings of said streets so as to prevent free passage for foot passengers; and all persons who shall violate this section, shall, on conviction thereof, be fined in any sum not more than twenty-five nor less than one dollar.

§ 19. If any person or persons shall be guilty of an indecent exhibition of any horse or horses in the city of Pekin, every person or persons so offending shall, on conviction thereof, be fined in any sum not more than twenty-five nor less than ten dollars for each and every offense.

§ 20. No person or persons shall place or cause to be placed, or, having placed, shall suffer to remain in or upon any of the streets, alleys, side-walks, public landings or public grounds, within the

limits of the city of Pekin, any lumber, wood, coal, ashes, lime, earth or manure, filth, rubbish, or any other article or commodity which may in any wise occupy, obstruct or encumber any of the said streets, alleys, side-walks, landings or public grounds, or any part thereof; nor shall any person or persons, by digging, plowing or otherwise, make or cause to be made any hole, pit, ditch or other excavation, in any of the said streets, side-walks, lanes or public grounds, without permission from the committee on streets and alleys; and any person or persons so offending shall, on conviction thereof, be fined in any sum not more than one hundred dollars nor less than one dollar; *provided*, that when any person or persons shall be about to build or repair any house or other building or improvement in the city of Pekin, and shall not have ground sufficient or convenient whereon to place the necessary materials for such building or improvement, such materials may be put on the nearest part of the street or alley in such manner as to occupy the least room, so as not to encumber, obstruct or occupy, at any time, more than one-half of any of said street or alley in front of any such house, building or improvement; *provided, further*, that all such materials, and every part thereof, shall be removed as soon as the same shall cease to be needed or used in the construction of such building or improvement, or may be removed at any time when, in the opinion of the committee on streets and alleys, it is thought necessary, or when the same have remained there a reasonable time; and any person refusing to move the same when duly notified by the city marshal, shall, on conviction, forfeit and pay the penalty contained in this section.

§ 21. That if any person shall erect, build, place or construct, or cause or procure to be erected, built, placed or constructed, or suffered to remain if already built or constructed, after the publishing of this ordinance, upon any street, lane, avenue, alley, public landing, public ground or side-walk within said city, any house, cellar, stable, shed, pen, fence, wall, foundation, or any other structure whatever, except in the manner provided by the ordinance of said city, the same shall be deemed and defined and is hereby declared a nuisance; and any person who shall violate any of the provisions of this section, shall, upon conviction, forfeit and pay any sum not less than twenty dollars nor more than one hundred dollars, and the further sum of twenty dollars for every twenty-four hours he shall permit or suffer any such nuisance to remain upon any such street,

lane, avenue, alley, public landing, public ground or side-walk, after his said first conviction; *provided*, that the provisions of this section shall not extend to canvass awnings placed in front of stores or houses, provided said awnings are not less than eight feet from the side-walk at their lowest point.

§ 22. Any person who shall, after sun-set, leave open, uncovered or unguarded, any cellar door, pit, vault, or other subterraneous opening leading from, into or upon any street, alley or side-walk in the city of Pekin, shall be fined in the sum of not more than fifty nor less than five dollars for each offense.

§ 23. If any minor shall offend against this, or any other ordinance of the city of Pekin, and judgment be against him, execution shall issue against the goods and chattels, and also against the body of such minor.

§ 24. If any person shall knowingly and wilfully obstruct, resist, oppose, interrupt or interfere with the city marshal or other officer of the city of Pekin, in serving or in attempting to serve any lawful process issued by virtue of this or any other ordinance of said city, or order of the city council, or any other legal process whatever, or shall assault or beat any officer of said city, or person duly authorized in serving or executing, or attempting to serve or execute the same, or who shall obstruct, oppose, interrupt or interfere with the city marshal, or any person called upon to assist such officers in the lawful discharge of any duty required, by virtue of this or any ordinance of said city; every person so offending, on conviction thereof, shall be fined in any sum not exceeding one hundred dollars nor less than ten dollars.

§ 25. In all cases of any disturbance or breach of the peace, it shall be the duty of the city marshal, upon view thereof, forthwith to apprehend the offender or offenders, and bring him or them before the police magistrate, who shall proceed forthwith in the trial of the same.

§ 26. In all cases under this or any other ordinance of the city of Pekin, the marshal or mayor is authorized and may arrest any person or persons for actual or alleged breach of the peace, and he may, and shall if necessary, call to his aid and assistance any person or persons above the age of twenty-one years; and any such person or persons who shall refuse to give assistance when so called upon,

shall, on conviction thereof, forfeit and pay a fine of not exceeding fifty nor less than ten dollars.

§ 27. When any person or persons shall be arrested by the city marshal, or any other officer, for the breach of this or any ordinance of the city of Pekin, after the hour of eight o'clock in the afternoon in the spring, summer and fall season, and after the hour of six o'clock in the winter season of the year, the said officer shall commit the offender to the city prison or the county jail of Tazewell county, in said city; and the keeper of said city prison or the jailer of said county jail is hereby authorized and required to receive such offender or offenders, there to remain until the hour of nine o'clock the succeeding day, when it shall be the duty of the said officer to carry such offender before the police magistrate of said city, to be dealt with according to law and the ordinances of said city; *provided*, that if said offender shall be arrested after the above hours on Saturday night, or at any time on Sunday, he shall remain in custody of said officer or officers until the hour of nine o'clock on Monday morning, when he shall be taken before the police magistrate and dealt with as is provided by ordinance.

MISDEMEANORS, NUISANCES AND POLICE.

AN ORDINANCE to amend an ordinance, entitled "An ordinance in relation to certain misdemeanors, nuisances and police in the city of Pekin."

- SEC. 1. Loiterers at night to be arrested.
2. When deemed guilty of misdemeanor.
3. Vagrants, punishment of.

Be it ordained by the city council of the city of Pekin:

SEC. 1. That from and after the passage of this ordinance, it shall be the duty of the city marshal and his assistants, and they, or any one of them, are hereby authorized to arrest any person or persons who shall be found loitering about the streets or alleys of said city after eleven o'clock at night, and cannot give any satisfactory account of him or herself, and convey the said persons to the jail, to remain until morning, then to be taken before the police magistrate, to be dealt with as this ordinance provides.

§ 2. That any person or persons who shall be found loitering about the streets or alleys of said city after eleven o'clock, and is not upon any lawful and legitimate business, and who cannot give

any satisfactory account of him or herself, shall be deemed guilty of a misdemeanor, and, upon conviction thereof, shall be fined in any sum not less than two dollars and not more than ten dollars.

§ 3. That any person or persons who, under the laws of the state of Illinois, would be deemed a vagrant, and who should be found loitering about the streets or alleys of the city of Pekin, either in the day time or night, shall be arrested by the city marshal, who shall bring him before the police magistrate; and upon proof that the said person or persons is or are a vagrant or vagrants, within the meaning of the laws of the state of Illinois, and that the said person or persons was or were found loitering about the streets of said city, and without having any visible means of support, said person or persons shall be fined not less than five dollars nor more than ten dollars.

BAWDY HOUSES, &C.

AN ORDINANCE to restrain, suppress and prohibit bawdy houses, houses of ill fame and houses of assignation, and other disorderly houses in the city of Pekin.

- SEC. 1. Bawdy houses, &c., prohibited; penalty.
2. Inmates guilty of misdemeanor; penalty.
3. Persons not inmates found in such places; penalty.
4. Persons frequenting such places; penalty.
5. Penalties, how sued for and recovered.
6. When complaints are made, duty of police magistrate.
7. Not to affect liability under other ordinances.

Be it ordained by the city council of the city of Pekin:

SEC. 1. That it shall not be lawful for any person or persons to keep, within the limits of the city of Pekin, or within the limits over which the jurisdiction of said city shall extend, any bawdy house, or house of ill fame, or house of assignation, or any other building or place where indecent or lewd practices are done or permitted; and each and every person so offending shall be deemed guilty of a misdemeanor, and, upon conviction thereof, shall be fined in any sum not less than twenty dollars nor more than one hundred dollars, and costs of suit; and each and every person who stays at or is harbored in any such house or place, shall be presumed to be the keeper thereof, and liable to a prosecution and the penalty in this section contained.

§ 2. Each and every person who shall be an inmate of, or stay at or be harbored at any such house or place as is in the first section of this ordinance mentioned, shall be deemed guilty of a misdemeanor, and, upon conviction thereof, shall be fined in any sum not less than twenty dollars nor more than one hundred dollars, and costs of suit.

§ 3. Each and every person not an inmate of, nor staying or being harbored at, and not the keeper of any such house or place as is in the first section of this ordinance mentioned, who shall be found at any such house or place between the hours of six o'clock, P. M., of any day, and six o'clock, A. M., of the succeeding day, shall be deemed guilty of a misdemeanor, and, upon conviction thereof, shall be fined in any sum not less than ten dollars nor more than one hundred dollars, and costs of suit.

§ 4. Each and every person who shall frequent any such house or place as is in the first section of this ordinance mentioned, whether in the day time or in the night time, shall be deemed guilty of a misdemeanor, and, upon conviction thereof, shall be fined in any sum not less than twenty dollars nor more than one hundred dollars, and costs of suit.

§ 5. All penalties for the breach of any provision of this ordinance shall be sued for and recovered before the police magistrate of said city in the same manner as is now by ordinance provided, except as hereinafter stated.

§ 6. Whenever the city marshal, or any police officer of said city, or any bona fide resident of said city, shall complain on oath before the police magistrate of said city, that any house or place within the limits or within the jurisdiction of said city, is kept as a bawdy house or house of ill fame, or house of assignation, or place where indecent or lewd practices are done or permitted, it shall be the duty of the police magistrate to issue a warrant directed to the city marshal or any assistant marshal of said city, commanding him or them to arrest forthwith, and cause to be brought before such police magistrate, all persons found in such house or place at the time of executing the writ; and when, in obedience to said warrant, the officer shall bring such person or persons before the police magistrate, it shall be the duty of said magistrate to hear such legal evidence as shall be offered, either on the part of the city or of any or all of the prisoners, and he may for this purpose continue the

cause for such reasonable time as may to him seem expedient; and, upon hearing the testimony, shall fine each and every of the prisoners according as the testimony shall prove him, her or them to be keepers of, inmates of, frequenters of, or persons found at such house or place, or discharge any or all of such prisoners, as the testimony shall prove their guilt or innocence.

§ 7. Nothing in this ordinance contained shall affect or release any liability to any penalty for any breach of the ninth (9th) section of the ordinance, entitled "An ordinance in relation to certain misdemeanors, nuisances and police in the city of Pekin," nor shall anything in this ordinance contained be affected by any provision of the ordinance, entitled "An ordinance to amend the several ordinances of the city of Pekin in relation to fines," passed April 25th, A. D. 1860.

CITY ORDINANCES AMENDED.

AN ORDINANCE to amend the several ordinances of the city of Pekin in relation to fines.

- SEC. 1. Police magistrate to impose fines from one dollar to one hundred dollars.
2. Provisions of this ordinance not to apply to an ordinance therein named.

Be it ordained by the city council of the city of Pekin:

SEC. 1. That from and after the publication of this ordinance, it shall be lawful for the police magistrate of the city of Pekin, upon conviction before him of any person or persons for any violation of any ordinance of the city of Pekin, to fine such person or persons in any sum not less than one dollar nor more than one hundred dollars.

§ 2. That upon the conviction of any person or persons for the violation of any ordinance of the city of Pekin, now in force or hereafter to be in force in said city, before any court having jurisdiction thereof, the fine for all such violations of said ordinances shall be not less than one dollar nor more than one hundred dollars; *Provided*, this ordinance shall not apply to an ordinance, entitled "An ordinance in relation to the erection of frame buildings and lumber yards on certain blocks in the city of Pekin," nor to any ordinance amendatory thereof.

AMENDATORY ORDINANCE.

AN ORDINANCE to amend an ordinance entitled "An ordinance to amend the several ordinances of the city of Pekin in relation to fines."

- SEC. 1. The above named ordinance not to apply to any future ordinance the minimum fine of which shall exceed one dollar.
2. Not to apply to certain ordinances herein mentioned.

Be it ordained by the city council of the city of Pekin:

SEC. 1. That the provisions of the ordinance entitled "An ordinance to amend the several ordinances of the city of Pekin in relation to fines," shall not apply to any ordinance hereafter passed in which the minimum fine, penalty or forfeiture imposed thereby for the breach of any provision thereof, shall exceed the sum of one dollar.

§ 2. That the provisions of the said ordinance of which this is amendatory, shall not apply to the following entitled ordinances, to wit: "An ordinance to restrain, suppress and prohibit bawdy houses, houses of ill fame and houses of assignation, and other disorderly houses in the city of Pekin;" "An ordinance for licensing the vending, by retail, of spirituous and malt liquors;" "An ordinance to regulate groceries, tippling houses, dram shops and beer houses in the city of Pekin;" and "An ordinance in relation to the erection of wooden or frame buildings, and also in relation to lumber yards on certain blocks in the city of Pekin."

INDEX.

A.

ALDERMEN:		PAGE.
City council to consist of,		2
Number of, from each ward, and how elected,		2
Qualification of,		2, 19
Removal from ward or ceasing to be freeholder, effect,		3
Classification of aldermen,		3
Council to determine qualification of members,		3
What constitutes a quorum,		3
Minority may compel attendance,		3
Ineligible to certain city offices,		3
Vacancies, how filled,		3
Equal vote in election of, how decided,		3
APPEALS:		
From decisions under ordinances,		13
From assessments in opening streets,		35
ARRESTS:		
How made,	52, 53, 96, 135	
Duty of officer upon making,	52, 53, 132, 133	
After certain hours and on Sundays,	133	
ASSESSOR:		
Council may appoint,	6	
ASSESSMENTS:		
Upon filling up lots,	15	
For improving lots and streets,	15, 24, 25, 33	
For paving side-walks,	83, 92	
For paving side-walks on Second street,	88	
For paving side-walks on Court street,	89	
For establishing South street,	91	
ATTORNEY:		
Appointment and compensation of,	6	
Ordinance for appointment of, and defining duties,	41, 47	
Compensation and fees,	42, 124, 126	

AUCTIONEERS:

Council may license,	7
Ordinance for licensing of,	103
Amount of license and per centage,	104
Penalty for violation of ordinance,	104
When license becomes void,	104

AUDITOR:

Ordinance for appointment of,	41
---	----

B.

BAGATELLE TABLES:

Ordinance in relation to,	114
See title, "Billiard Tables."	

BAWDY HOUSES:

Ordinance prohibiting bawdy houses & other disorderly houses, 128, 134	
Penalty for keeping, and who deemed keeper,	134
Inmates of, guilty of misdemeanor,	135
Penalties under ordinance, how sued for and recovered,	135
Duty of police magistrate when complaint made,	135
Ordinance not to affect liability under other ordinances,	136

BILLIARD TABLES:

Ordinance for licensing of,	114
Rate of license,	114
Council may reject application for,	114
Application shall describe building,	114
License, how signed,	114
Not transferable,	114
Not to keep open after certain hours,	115
Penalty for violation and suits brought for,	115

BONDS OF CITY:

By whom executed,	46, 47, 121
Ordinance in relation to bonds for Illinois River railroad company, 120	

BOUNDARIES:

Corporate limits under charter,	16, 32
Additions to city,	16
As fixed by ordinance,	32

BRIDGE:

City may construct on west side Illinois river,	32
---	----

BROKERS:

Council may license,	7
Ordinance regulating,	103
License, how obtained,	105
Penalty for dealing as, without license,	105

C.

CARTS, DRAYS AND WAGONS :

Council may license,	7
Ordinance for licensing and regulating,	106
Penalty for driving without license,	106, 108
Numbers to be registered with clerk,	107
Rates under ordinance,	107
Cost of license,	107, 108
Penalty for failure to have cart, dray or wagon numbered,	108

CHALLENGE :

Proceedings when vote challenged,	77
---	----

CHARTER OF CITY OF PEKIN :

Act to incorporate towns and cities,	15
Provisions of charter of Quincy applicable to,	16
Act to amend charters of towns and cities,	17
Act to amend "An act to incorporate the city of Quincy,"	19
Act to prevent cities & towns issuing warrants to circulate as money,	19
Act enabling cities to subscribe for stock in railroad companies,	20, 22
Act authorizing cities to change and vacate streets,	23, 30, 33
Act amending the charters of towns and cities,	24
Act amending the charters & for better government of towns & cities,	25
Act providing for election of officers,	26
Act for vacation of streets, alleys and town plats,	26
Act to approve and extend corporate powers of city of Pekin,	29
Act to amend the foregoing act,	29
Act to amend the charter of the city of Pekin,	30, 31, 32, 33
Act to extend corporate powers of the city of Pekin,	32
Charter declared a public act,	13
Charter not to invalidate acts of trustees,	13

CITY COUNCIL :

Consists of,	2
Judge of qualification of members,	3
Quorum,	3
Minority may compel attendance,	3
Determine rules of proceeding,	3
Determine contested election,	3
Keep a journal,	3
Number of meetings,	3
Assess and collect taxes,	5, 30, 31
Appoint certain officers,	6
Require bond of officers,	6
Regulate common schools,	6
Borrow money,	6
Provide for debts of the city,	6, 30

CITY COUNCIL—*Continued* :

Make quarantine laws,	6
Establish hospitals,	6
Regulate health and declare nuisances,	6, 15
Provide for watering the city,	6
Open, vacate and alter streets,	6, 10, 23, 26, 33
Build bridges,	6
Make and alter wards,	6
Light the city,	6
Establish watches,	6
Regulate markets,	7
Erect buildings for the city,	7
Improve public grounds,	7
Improve navigation,	7
Erect wharves and docks,	7, 30
Grant licenses,	7, 30
Regulate carriages, wagons and drays,	7
Regulate porters,	7
License shows,	7
Suppress disorderly houses,	7
Organize fire companies,	7
Regulate erection of wooden buildings,	7
Regulate chimneys,	7
Regulate storage of gunpowder,	7
Regulate walls and fences,	7
Regulate weights and measures,	7
Provide for measurement of lumber,	7
Provide for inspection of hay and fuel,	7
Provide for inspection of tobacco,	8
Regulate inspection of provisions,	8
Regulate weight of bread,	8
Regulate size of brick,	8
Provide for taking census,	8
Regulate elections,	8
Fix compensation of jurors,	8
Regulate police,	8
Impose and recover fines,	8
Exclusive powers,	8
Make ordinances,	8
Style of ordinances,	8
Ordinances, when to take effect,	8
Proof of ordinances, and when evidence,	8
Publish annual statement of receipts and expenditures,	12
Acts of president and trustees of town of Pekin legalized,	29

CITY OF PEKIN:

Limits of,	39
Division of city into wards,	40
City seal,	40
Meetings of council,	41
Appointment of officers,	41, 53
Punishment of city officers,	42
On failure to pay fine, may imprison,	12
May require fines to be worked out on streets,	15
May declare and remove nuisances,	6, 15
May fill up, &c., lots declared to be nuisances,	15
May exercise all powers conferred by Springfield & Quincy charters,	16
Limit to boundaries and additions,	16
County collector to collect city taxes,	16, 24, 36
May sue and be sued,	2
Purchase real estate and personal property,	2
Hold property beyond city for burial grounds,	2, 16
Sell, lease and dispose of certain property,	2
Subscribe to railroad incorporations,	20
Subscription to Illinois River Railroad Company legalized,	23
Powers of city council,	2, 5
Property of town of Pekin vested in city of Pekin,	12
Charter not to invalidate acts of trustees,	13

CITY CLERK:

Council may appoint,	6
Ordinance for appointment of,	41, 48
Compensation and fees of,	42, 43
Duties of,	47
Sign contracts and licenses,	50
Duty of, with poll books of election,	78
To make list of persons liable to street tax,	95
To keep list of brokers' license issued,	106
Duty of, under ordinance in relation to dogs running at large,	109
under ordinance in relation to peddlers and showmen,	111
under ordinance in relation to lumber and merchandise,	113
under ordinance in relation to billiard tables, &c.,	114
under ordinance in relation to groceries & tippling houses,	116

CLERK OF ELECTIONS:

Compensation of,	43
------------------	----

CONTAGIOUS DISEASES:

Council may prevent introduction of,	6
Ordinance to provide against,	63

COSTS :

Ordinance regulating, in suits before police magistrate,	122
May be given against complainant,	122
Magistrate may demand fees in advance,	122

COURT STREET :

Ordinance establishing grade of,	80
Ordinance establishing grade of sidewalks on,	88

D.**DAMAGES :**

For opening streets, how assessed,	10, 23, 26, 30, 32
Under ordinance relating to certain streets,	86
Under ordinance establishing South street,	91
Under ordinance establishing South Front street,	91, 92

DOGS :

Ordinance relating to dogs running at large,	109
Duty of owner to register and pay tax for,	109
Clerk to give certificate,	109
Running at large contrary to ordinance, to be killed,	110
Fierce dogs to be killed,	110
Penalty for having,	110
Owners to muzzle,	110
Penalty for neglect,	110

DRAYS :

See carts, drays and wagons,	106
--	-----

E.**ELECTIONS :**

Contested election of aldermen, by whom determined,	3
Contested election of mayor, how determined,	4
Annual election for mayor and aldermen,	4
First election, how conducted,	4, 26
Qualifications of electors,	4
To vote in wards,	4
For adoption of charter,	4
For city officers,	44
For officers of fire department,	71
Ordinance regulating mode of holding elections,	75
Return of votes, how made,	77
Equal number of votes, how decided,	78
Proceedings in contested elections,	79

ELIZABETH STREET :

Ordinance extending,	85
--------------------------------	----

ENGINEER :

Ordinance for appointment of,	41, 51
Compensation of,	43

ENGINEER, Continued:

Ordinance defining duties of,	51
Engineer of fire department, powers and duties,	71
Duty of city engineer under ordinance grading Court street,	80
Duty of engineer under ordinance for sidewalks on Second street,	87
Duty of engineer under ordinance for sidewalks on Court street,	88

EXEMPTION:

Of inhabitants of city from road labor,	12
from tax for laborers,	12
from tax for county purposes,	12

F.**FEES:**

Ordinance fixing,	42
See also under title of different offices.	

FERRY:

Act of trustees in relation to, legalized,	29
Council may license and regulate,	8
Ordinance establishing rates of ferriage,	64

FINES AND FORFEITURES:

May be imposed for breach of any ordinance,	8
Recovery of,	8
Ordinance providing for recovery and appropriation of,	122, 125
Suits for, how and before whom commenced,	122
Complaints, how made, and form of,	123
Process, how executed,	124
Who may be witnesses,	124
Trial by jury,	124
Costs to be taxed,	124
Fees of magistrate and marshal,	125
Duty of marshal,	125
Fines, to whom to be paid,	125
Ordinance to amend the several ordinances in relation to,	136, 137
Exceptions of certain ordinances,	136, 137
See title, "Penalties."	

FIRE DEPARTMENT:

Ordinance to establish and regulate,	71
--	----

FIRE LIMITS:

Ordinance prescribing,	97
----------------------------------	----

FIRE WARDEN:

Ordinance for appointment of,	41
Compensation of,	43

FRONT STREET:

Ordinance for widening,	85, 86
-----------------------------------	--------

GROCERIES AND TIPPLING HOUSES:

Council may restrain and prohibit,	7, 30
Ordinance for licensing of,	116
On what conditions may be granted,	116
To authorize sale in but one place,	116
Penalty for selling without license,	117
Penalty for keeping disorderly house, selling on Sunday, or to minors,	117
Licenses to be for one year, not assignable, and how issued,	117
Penalties, how recovered,	117
Exception of druggists,	118
Prohibition from selling on certain days,	118
Penalty for so doing,	118

GUNPOWDER:

Council may regulate storage of,	7
Ordinance regulating storage of	96

H.

HARBOR MASTER:

Ordinance for appointment of,	41
Compensation of,	43
Duty of, in relation to public landings,	67

HEALTH:

Council may regulate,	6
Ordinance in relation to,	58

HOGS:

Ordinance prohibiting running at large of,	102
Running at large declared a nuisance,	102
Duty of marshal under ordinance,	106

HORSES:

Ordinance prohibiting the running at large of,	100
Running at large declared a nuisance,	100
Duty of marshal under ordinance,	101

HOUSES OF ILL FAME, &C.:

See title, "Bawdy Houses,"	128, 134
------------------------------------	----------

I.

IMPRISONMENT:

For failure to pay fine,	12, 125
----------------------------------	---------

INSPECTORS OF ELECTION:

In each ward, how appointed,	41, 75
Compensation of,	43, 94
Vacancy in office of, how filled,	76
Duty of inspectors,	76, 77
To make list of persons liable to street tax,	94

J.**JURY AND JURORS:**

Council may regulate fees of,	8
To be summoned in assessing damages,	11, 86, 91, 92

L.**LANDINGS:**

Power of council over,	7
Ordinance in relation to,	67

LICENSES:

Council may issue,	7, 8
By whom signed,	30
Wharf boat license,	65
Auctioneer's license,	103
Broker's license,	105
Carts, wagons and drays,	106
Peddlers and showmen,	111
Lumber and merchandise,	112
Billiard tables, &c.,	114
Groceries and tippling houses,	116

LIMITS:

Limits of city and additions under charter,	16, 32
Ordinance defining,	39
Limits of wards,	40

LUMBER AND LUMBER YARDS:

Prohibited on certain blocks,	97
Violation of ordinance, how punished,	97, 98, 99, 100
Ordinance for licensing,	112
License for, how obtained,	113
how obtained after annual assessment,	113

M.**MARGARET STREET:**

Ordinance extending,	86
------------------------------	----

MARSHAL AND ASSISTANT MARSHALS:

May execute writs in limits of county,	13
Fees of,	13
Council may appoint,	6
Ordinance for appointment of,	41, 52, 53
Compensation and fees of,	43
To be street commissioner,	44
Ordinance defining duties of marshal,	52
defining duties of assistant marshals,	53
Duty under health ordinance,	59
under ordinances in relation to contagious diseases,	63
under ordinance in relation to wharves and wharf boats,	65

MARSHAL AND ASSISTANT MARSHALS—*Continued*:

Duty under ordinance in relation to sidewalks on Second street,	87
under ordinance in relation to sidewalks on Court street,	89
under ordinance in relation to horses at large,	100
under ordinance in relation to hogs at large,	102
under ordinance in relation to brokers' license,	106
under ordinance in relation to carts, wagons and drays,	108, 109
under ordinance in relation to dogs at large,	109, 110, 111
under ordinance in relation to peddlers and showmen,	112
under ordinance in relation to billiard tables, &c ,	115
under ordinance in relation to groceries & tippling houses	116, 118
under ordinance in relation to fines, forfeitures & penalties,	122, 125
under ordinance in relation to misdemeanors, nuisances and police,	132, 133
under ordinance in relation to loiterers and vagrants,	133, 134

MAYOR :

How elected,	3
For what term,	4
Qualifications,	4, 19
Office, how vacated,	4
Vacancy, how filled,	4, 13
Equal vote in election of, how determined,	4
Contested election, how determined,	4
To have casting vote,	9
Mayor <i>pro tem.</i> ,	9, 13
May call special meetings,	9
Duties of mayor,	9
Summon aid to suppress riots,	9
May require officers to exhibit books,	9
To execute all ordinances,	9
Salary to be fixed by ordinance,	9
To be indicted for violation of duty,	10
To issue and sign bonds,	46, 47, 121
Duty of, under ordinance in relation to certain streets,	86

MEETINGS OF COUNCIL :

Regular meetings,	41
Special meetings,	41
Penalty for non-attendance,	41

MERCHANDISE :

License for, see under title, "Lumber and Lumber Yards,"	112
--	-----

MISDEMEANORS, NUISANCES AND POLICE :

Ordinance defining and prohibiting,	126, 133
See under title, "Penalties."	

N.**NUISANCE:**

Council may declare,	6
Lots declared to be, may be sold,	15
Ordinance defining and prohibiting,	58, 126, 133

O.**OFFICERS:**

How appointed,	6
Compensation of,	8
Council may remove certain,	8
Ordinance for appointment of,	41
for punishment of,	42
for election of,	44, 46
Reports of, and when made,	45
Penalty for failing to make,	45
Oath of,	45
Report and election of engineer of fire department,	71

ORDINANCES:

Council may make,	8, 16
Style of,	8
Passage, publication and proof of,	8
Mayor to execute,	10
Ordinances of town of Pekin in force until repealed,	12
Ordinances repealed,	45, 88, 95, 100
Ordinances amended,	136, 137

P.**PAVING SIDEWALKS:**

Width and material fixed by council,	83, 92
--	--------

PEDLERS:

To obtain license,	111
Application to council,	111
To clerk, when council not in session,	111
Clerk to keep record of,	112
Penalty for violating ordinance,	112

PENALTY:

Council may impose,	8
For refusing to obey mayor,	9
For refusing to work on streets,	12
Accruing to town of Pekin vested in city of Pekin,	12
Imprisonment for failure to pay fine,	12, 125
Work on streets for failure to pay fine,	15, 125
For violating act in relation to city warrants,	20
For neglect of duty by city officers,	41
For officers failing to make reports	45

PENALTY—*Continued*:

For failing to work on streets,	54
For violation of ordinance in relation to sale of wood,	55, 56
in relation to sale of hay and coal,	57, 58
in relation to health,	58, 63
in relation to contagious diseases,	63
in relation to wharves and wharf boats,	65
in relation to public landings,	67
in relation to fire department,	71
in relation to voting,	79
in relation to grading Court street,	82
in relation to street tax,	95
in relation to storage of gunpowder,	96
in relation to resisting marshal,	96
in relation to wooden or frame buildings,	97, 98, 99, 100
in relation to horses at large,	101
in relation to hogs at large,	108
in relation to auctioneers	104
in relation to brokers,	106
in relation to carts, drays and wagons,	106, 108
in relation to dogs running at large,	109, 110, 111
in relation to pedlers and showmen,	112
in relation to lumber and merchandise,	113
in relation to billiard tables, &c.,	115
in relation to groceries and tippling houses,	116, 118
disturbance or breach of the peace,	127
For permitting disturbance in house,	127
For urging dogs to fight,	127
For laboring on Sunday,	127
For drunkenness,	127
For disturbing religious worship,	128
For disturbing lawful assemblages,	128
For indecent exposure of person,	128
For keeping or being inmate of bawdy house,	128, 134, 135
For frequenting or being found in bawdy house,	134, 135
For lewd behavior,	128
For gambling,	129
For discharging fire-arms,	129
For building fire upon streets,	129
For hitching horses to shade trees,	129
For leaving horses on sidewalks,	130
For leaving horses unfastened,	130
For driving violently,	130
For teams obstructing streets and crossings,	130
For indecent exhibition of horses,	130

PENALTY—*Continued*:

For placing lumber, &c., on streets	130
For building houses on streets,	131
For leaving vaults and cellar doors open,	132
For minors violating ordinance,	132
For resisting marshal,	132
For loitering upon streets, and vagrancy,	133, 134
Police magistrate may reduce penalties,	136

POLICE:

Council may establish and regulate,	6, 8
See title, "Marshal."	

POLICE MAGISTRATE:

Established, and how elected,	17
How commissioned,	18
Jurisdiction of,	18
Fees of,	18
Appeals from,	18
Rules of practice,	18
Change of venue,	18
Tenure of office,	25
Vacancy, and how filled,	25, 26
Compensation and fees of,	44

POUND:

Marshal to provide,	102
Penalty for breaking open,	103

R.

RAILROADS:

Cities may subscribe to stock,	20, 31
Borrow money for payment of subscription,	20
Vote to be taken upon,	21
Vote of city of Pekin declared legal,	23
City may contract with,	32

REPAIRS:

Of sidewalks made by street commissioner,	85
---	----

REPEAL:

Acts contrary to provisions of charter repealed	13
Ordinances repealed,	45, 83, 95, 100

RIGHT OF WAY:

Granted to city over certain lands,	31
---	----

S.

SEAL OF CITY:

Form of,	40
When used,	40
Custody of,	40

SECOND STREET :

Ordinance in relation to sidewalks on, . . . 87, 93

SHOWMEN :

See "Pedlers," 111

SHUFFLE BOARDS :

Ordinance in relation to, 114

See title, "Billiard Tables."

SIDEWALKS :

Ordinance relating to sidewalks in city . . . 82, 92

relating to sidewalks on Court street, . . . 80, 88

relating to sidewalks on Second street, . . . 87

SOUTH FRONT STREET :

Ordinance establishing, 91

When a public street, 92

SOUTH STREET :

Ordinance establishing, 90

STREETS :

Powers of council in relation to, . . . 6, 10, 23, 26, 30, 33

Owner to be compensated, 10

Damages, how estimated, 10, 23, 26, 33

Opened, upon petition, 11, 26

Jurors to be sworn, 11

Rules of assessment, 11, 33

Decision may be set aside, 11, 33

Council may levy special tax, 11

Inhabitants to labor upon streets, 12

Penalty for refusing, 12

Persons violating ordinances, to work on, . . . 15, 125

Grade of Court street and width of sidewalks, . . . 80

Sidewalks on streets, 83, 92

Ordinance extending and widening certain streets, . . . 85, 86

Ordinance for sidewalk on Second street, . . . 87, 93

for sidewalk on Court street, 88

Ordinance establishing South street, 90

establishing South Front street, 91

STREET COMMISSIONER :

Ordinance for appointment of, 41, 54

City Marshal to be, 44

Duties of, 54, 84, 87, 92, 95

SUITS :

Council may provide for recovery of fines, &c., . . . 8

How brought, 12, 115, 117, 122

T.**TAXES :**

Power of council to levy,	5, 24, 31
Lots may be sold for,	15, 24
Collected by county collector,	17, 24, 36, 83, 88, 89, 94
Street tax, and how collected,	54, 55, 94
Sidewalk tax, how collected,	83
Sidewalk tax for sidewalk on Second street,	88
for sidewalk on Court street,	89
for sidewalk in Cincinnati addition,	94
Dog tax,	109, 110

TEN PIN ALLEYS :

Ordinance in relation to,	114
See title, "Billiard Tables."	

TREASURER :

Council may appoint,	6
Ordinance in relation to,	41, 50
Compensation of,	42
Duties of,	50

V.**VAGRANTS :**

To be arrested,	133
How punished,	133, 134

VENUE :

Change of, from police magistrate,	18
--	----

VOTERS :

Qualifications of,	4, 19
Penalty for voting more than once,	79

W.**WAGONS :**

See "Carts, Drays and Wagons,"	106, 108
--	----------

WARDS :

Council may establish,	6
Division of city into, and boundaries of,	40

WATER STREET :

Ordinance relating to,	85, 86
----------------------------------	--------

WARRANT :

But one warrant to be drawn for debt due any person,	19
To be drawn only in favor of person to whom due,	20
To be paid only to person to whom issued,	20
Penalty for violation of act,	20

WEIGHER OF HAY AND COAL:

Council may provide for,	7
Appointment of,	41
Compensation of,	43
Duties of,	57

WELLS:

Ordinance in relation to public wells,	119
Penalty for watering animals at,	119
Penalty for violation of ordinance,	119
Duty of police magistrate and marshal,	119, 120

WHARVES AND WHARF BOATS:

Council may regulate,	7
Ordinance in relation to,	65
Rates of wharfage, and penalty for not paying,	67
May be licensed,	71

WOOD MEASURER:

Appointment of,	41, 55
Compensation of,	43
Duties of,	55

WOODEN AND FRAME BUILDINGS:

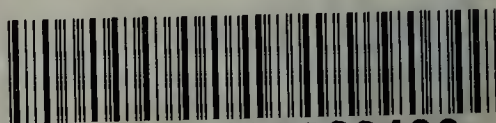
Council may regulate and prohibit,	7
Ordinance in relation to erection of,	97
On what blocks prohibited,	97
Penalties for violation of ordinance,	97, 98, 99

UNIVERSITY OF ILLINOIS-URBANA

352.0773P361864

C001

THE CITY CHARTER PEKIN



3 0112 025299436